

104TH CONGRESS
1ST SESSION

S. 727

To authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1996, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 27 (legislative day, APRIL 24), 1995

Mr. THURMOND (for himself and Mr. NUNN) (by request) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1996, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Defense Au-
5 thorization Act for Fiscal Year 1996”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

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Sec. 2. Table of contents.

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- Sec. 512. Military leave for public safety duty performed by members of the Reserve components of the Armed Reserve Officers' Training Corps advanced course.
- Sec. 514. Clarifying use of military morale, welfare, and recreation facilities by retired reservists.
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- Sec. 924. Annual report on National Guard and Reserve component equipment.
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- Sec. 1227. Repeal of certain depot level maintenance provisions.

1 **TITLE I—procurement** 2 **Authorization of Appropriations**

3 **SEC. 101. ARMY.**

4 (a) AIRCRAFT.—Funds are hereby authorized to be
5 appropriated for procurement of aircraft for the Army as
6 follows:

7 (1) \$1,223,067,000 for fiscal year 1996.

8 (2) \$843,391,000 for fiscal year 1997.

9 (b) MISSILES.—Funds are hereby authorized to be
10 appropriated for procurement of missiles for the Army as
11 follows:

1 (1) \$676,430,000 for fiscal year 1996.

2 (2) \$717,757,000 for fiscal year 1997.

3 (c) WEAPONS AND TRACKED COMBAT VEHICLES.—

4 Funds are hereby authorized to be appropriated for pro-
5 curement of weapons and tracked combat vehicles for the
6 Army as follows:

7 (1) \$1,298,986,000 for fiscal year 1996.

8 (2) \$1,261,691,000 for fiscal year 1997.

9 (d) AMMUNITION.—Funds are hereby authorized to
10 be appropriated for procurement for ammunition for the
11 Army as follows:

12 (1) \$795,015,000 for fiscal year 1996.

13 (2) \$830,644,000 for fiscal year 1997.

14 (e) OTHER PROCUREMENT.—Funds are hereby au-
15 thorized to be appropriated for procurement for ammuni-
16 tion for the Army as follows:

17 (1) \$2,256,601,000 for fiscal year 1996.

18 (2) \$2,198,702,000 for fiscal year 1997.

19 **SEC. 102. NAVY AND MARINE CORPS.**

20 (a) AIRCRAFT.—Funds are hereby authorized to be
21 appropriated for procurement of aircraft for the Navy as
22 follows:

23 (1) \$3,886,488,000 for fiscal year 1996.

24 (2) \$6,885,201,000 for fiscal year 1997.

1 (b) WEAPONS.—Funds are hereby authorized to be
2 appropriated for procurement of weapons (including mis-
3 siles and torpedoes) for the Navy as follows:

4 (1) \$1,787,121,000 for fiscal year 1996.

5 (2) \$1,714,337,000 for fiscal year 1997.

6 (c) SHIPBUILDING AND CONVERSION.—Funds are
7 hereby authorized to be appropriated for shipbuilding and
8 conversion for the Navy as follows:

9 (1) \$5,051,935,000 for fiscal year 1996.

10 (2) \$3,941,565,000 for fiscal year 1997.

11 (d) OTHER PROCUREMENT, NAVY.—Funds are here-
12 by authorized to be appropriated for other procurement
13 for the Navy as follows:

14 (1) \$2,396,080,000 for fiscal year 1996.

15 (2) \$3,124,435,000 for fiscal year 1997.

16 (e) MARINE CORPS.—Funds are hereby authorized to
17 be appropriated for procurement for the Marine Corps as
18 follows:

19 (1) \$474,116,000 for fiscal year 1996.

20 (2) \$687,917,000 for fiscal year 1997.

21 **SEC. 103. AIR FORCE.**

22 (a) AIRCRAFT.—Funds are hereby authorized to be
23 appropriated for procurement of aircraft for the Air Force
24 as follows:

25 (1) \$6,183,886,000 for fiscal year 1996.

1 (2) \$6,576,934,000 for fiscal year 1997.

2 (b) MISSILES.—Funds are hereby authorized to be
3 appropriated for procurement of missiles for the Air Force
4 as follows:

5 (1) \$3,647,711,000 for fiscal year 1996.

6 (2) \$4,422,579,000 for fiscal year 1997.

7 (c) OTHER PROCUREMENT.—Funds are hereby au-
8 thorized to be appropriated for other procurement for the
9 Air Force as follows:

10 (1) \$6,804,696,000 for fiscal year 1996.

11 (2) \$6,904,630,000 for fiscal year 1997.

12 **SEC. 104. DEFENSE-WIDE ACTIVITIES.**

13 Funds are hereby authorized to be appropriated for
14 Defense-wide procurement as follows:

15 (1) \$2,179,917,000 for fiscal year 1996.

16 (2) \$2,524,975,000 for fiscal year 1997.

17 **SEC. 105. DEFENSE INSPECTOR GENERAL.**

18 Funds are hereby authorized to be appropriated for
19 procurement for the Inspector General of the Department
20 of Defense as follows:

21 (1) \$1,000,000 for fiscal year 1996.

22 (2) \$1,800,000 for fiscal year 1997.

23 **SEC. 106. CHEMICAL DEMILITARIZATION PROGRAM.**

24 Funds are hereby authorized to be appropriated for
25 the destruction of lethal chemical weapons in accordance

1 with section 1412 of the Department of Defense Author-
2 ization Act, 1986 (50 U.S.C. 1521) and the destruction
3 of chemical warfare material of the United States that is
4 not covered by section 1412 of such Act as follows:

5 (1) \$746,698,000 for fiscal year 1996.

6 (2) \$828,747,000 for fiscal year 1997.

7 **SEC. 107. DEFENSE HEALTH PROGRAM.**

8 Funds are hereby authorized to be appropriated for
9 procurement for the Defense Health Program as follows:

10 (1) \$288,033,000 for fiscal year 1996.

11 (2) \$298,486,000 for fiscal year 1997.

12 **SEC. 108. REPEAL OF REQUIREMENT FOR SEPARATE BUDG-**
13 **ET REQUEST FOR PROCUREMENT OF RE-**
14 **SERVE EQUIPMENT.**

15 Section 114(e) of title 10, United States Code, is re-
16 pealed.

17 **TITLE II—RESEARCH, DEVELOP-**
18 **MENT, TEST, AND EVALUA-**
19 **TION**

20 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

21 (a) FISCAL YEAR 1996.—Funds are hereby author-
22 ized to be appropriated for fiscal year 1996 for the use
23 of the Armed Forces for research, development, test, and
24 evaluation, as follows:

25 (1) For the Army, \$4,444,175,000.

1 (2) For the Navy, \$8,204,530,000.

2 (3) For the Air Force, \$12,598,439,000.

3 (4) For Defense-wide activities,
4 \$9,084,809,000, of which—

5 (A) \$259,341,000 is authorized for the ac-
6 tivities of the Director, Test and Evaluation;
7 and

8 (B) \$22,587,000 is authorized for the Di-
9 rector of Operational Test and Evaluation.

10 (b) FISCAL YEAR 1997.—Funds are hereby author-
11 ized to be appropriated for fiscal year 1997 for the use
12 of the Armed Forces for research, development, test, and
13 evaluation, as follows:

14 (1) For the Army, \$4,240,968,000.

15 (2) For the Navy, \$7,716,920,000.

16 (3) For the Air Force, \$11,655,554,000.

17 (4) For Defense-wide activities,
18 \$9,040,169,000, of which—

19 (A) \$267,029,000 is authorized for the ac-
20 tivities of the Director, Test and Evaluation;
21 and

22 (B) \$22,978,000 is authorized for the Di-
23 rector of Operational Test and Evaluation.

**TITLE III—OPERATION AND
MAINTENANCE
Subtitle A—Authorization of
Appropriations**

SEC. 301. OPERATION AND MAINTENANCE FUNDING.

(a) FISCAL YEAR 1996.—Funds are hereby authorized to be appropriated for fiscal year 1996 for the use of the Armed Forces of the United States and other activities and agencies of the Department of Defense, for expenses, not otherwise provided for, for operation and maintenance, in amounts as follows:

(1) For the Army, \$18,184,736,000.

(2) For the Navy, \$21,225,710,000.

(3) For the Marine Corps, \$2,269,722,000.

(4) For the Air Force, \$18,256,579,000.

(5) For Defense-wide Activities,
\$10,366,782,000.

(6) For the Army Reserve, \$1,068,591,000.

(7) For the Navy Reserve, \$826,042,000.

(8) For the Marine Corps Reserve,
\$90,283,000.

(9) For the Air Force Reserve, \$1,485,947,000.

(10) For the Army National Guard,
\$2,304,108,000.

1 (11) For the Air National Guard,
2 \$2,712,221,000.

3 (12) For the Defense Inspector General,
4 \$138,226,000.

5 (13) For the Drug Interdiction and Counter-
6 drug Activities, Defense-wide, \$680,432,000.

7 (14) For the United States Court of Appeals
8 for the Armed Forces, \$6,521,000.

9 (15) For Environmental Restoration Defense,
10 \$1,622,200,000.

11 (16) For Medical Programs, Defense,
12 \$9,865,525,000.

13 (17) For Humanitarian Assistance,
14 \$79,790,000.

15 (18) For Former Soviet Union Threat Reduc-
16 tion, \$371,000,000.

17 (19) For Contributions for International Peace-
18 keeping and Peace Enforcement Activities, Defense,
19 \$65,000,000.

20 (20) For support for the 1996 Summer Olym-
21 pics, \$15,000,000.

22 (b) FISCAL YEAR 1997.—Funds are hereby author-
23 ized to be appropriated for fiscal year 1997 for the use
24 of the Armed Forces of the United States and other activi-
25 ties and agencies of the Department of Defense, for ex-

1 penses, not otherwise provided for, for operation and
2 maintenance, in amounts as follows:

3 (1) For the Army, \$17,628,264,000.

4 (2) For the Navy, \$20,254,507,000.

5 (3) For the Marine Corps, \$2,285,047,000.

6 (4) For the Air Force, \$18,346,851,000.

7 (5) For Defense-wide Activities,
8 \$10,492,192,000.

9 (6) For the Army Reserve, \$1,033,630,000.

10 (7) For the Naval Reserve, \$864,712,000.

11 (8) For the Marine Corps Reserve,
12 \$95,272,000.

13 (9) For the Air Force Reserve, \$1,059,030,000.

14 (10) For the Army National Guard,
15 \$2,274,435,000.

16 (11) For the Air National Guard,
17 \$2,773,343,000.

18 (12) For the Defense Inspector General,
19 \$138,060,000.

20 (13) For the Drug Interdiction and Counter-
21 drug Activities, Defense-wide, \$700,756,000.

22 (14) For the United States Court of Appeals
23 for the Armed Forces, \$6,586,000.

24 (15) For Environmental Restoration Defense,
25 \$1,622,200,000.

1 (16) For Medical programs, Defense,
2 \$9,720,509,000.

3 (17) For Humanitarian Assistance,
4 \$71,633,000.

5 (18) For Former Soviet Union Threat Reduc-
6 tion, \$364,400,000.

7 (19) For Contributions for International Peace-
8 keeping and Peace Enforcement Activities, Defense,
9 \$100,000,000.

10 **SEC. 302. WORKING CAPITAL FUNDS.**

11 (a) FISCAL YEAR 1996.—Funds are hereby author-
12 ized to be appropriated for fiscal year 1996 for the use
13 of the Armed Forces of the United States and other activi-
14 ties and agencies of the Department of Defense for provid-
15 ing capital for working capital and revolving funds, in
16 amounts as follows:

17 (1) For the Defense Business Operations Fund,
18 \$878,700,000.

19 (2) For the National Defense Sealift Fund,
20 \$974,220,000.

21 (b) FISCAL YEAR 1997.—Funds are hereby author-
22 ized to be appropriated for fiscal year 1997 for the use
23 of the Armed Forces of the United States and other activi-
24 ties and agencies of the Department of Defense for provid-

1 ing capital for working capital and revolving funds, for
2 the National Defense Sealift Fund, \$913,402,000.

3 **SEC. 303. CIVILIAN MARKSMANSHIP PROGRAM FUND.**

4 (a) ESTABLISHMENT.—Subsections (c) and (d) of
5 section 4308 of title 10, United States Code, are amended
6 to read as follows:

7 “(c) CIVILIAN MARKSMANSHIP PROGRAM FUND.—
8 There is established in the Treasury of the United States,
9 a fund to be known as the ‘Civilian Marksmanship Pro-
10 gram Fund’ which shall be available for all expenses of
11 the Civilian Marksmanship Program. Amounts collected
12 by the Secretary under the Civilian Marksmanship Pro-
13 gram, including the proceeds from the sale of arms, am-
14 munition, targets and other supplies and appliances under
15 subsection (a) shall be deposited to the Fund and shall
16 be available until expended to carry out the Civilian
17 Marksmanship Program without a requirement for addi-
18 tional appropriation.

19 “(d) REIMBURSEMENT.—To the extent that appro-
20 priations available to the Department of Defense incur ex-
21 penses under sections 4310 through 4313 of this title,
22 such appropriations shall be reimbursed from amounts in
23 the Fund established under subsection (c).”.

24 (b) TECHNICAL AMENDMENTS.—Subsection (b) of
25 section 4313 of title 10, United States Code, is amended

1 by striking out “Appropriated funds available for the Ci-
2 vilian Marksmanship Program (as defined in section
3 4308(e) of this title) may be used” and inserting in lieu
4 thereof “Funds in the Civilian Marksmanship Program
5 Fund established by section 4308(c) of this title shall be
6 used”.

7 (c) DISPOSITION OF UNOBLIGATED REIMBURSE-
8 MENTS CREDITED TO APPROPRIATIONS.—Unobligated
9 amounts credited to appropriations under the provisions
10 of section 4308(c) of title 10, United States Code, as in
11 existence prior to the amendments made by subsection (a)
12 of this section, shall be deposited to the Civilian Marks-
13 manship Program Fund established under section 4308(b)
14 of title 10, United States Code, as amended by subsection
15 (a). Such funds shall be merged with, and shall be avail-
16 able for the same time period and for the same purposes
17 specified in section 4308(c) of title 10, United States
18 Code, as amended by subsection (a) of this section.

19 **SEC. 304. REPEAL OF LIMITATION ON ACTIVITIES OF THE**
20 **DEFENSE BUSINESS OPERATIONS FUND.**

21 Section 316 of the National Defense Authorization
22 Act for fiscal years 1992 and 1993 (10 U.S.C. 2208 note)
23 is amended—

24 (1) by striking out “(a)” and the second sen-
25 tence in subsection (a); and

1 (2) by repealing subsection (b).

2 **SEC. 305. AMENDMENTS RELATING TO THE READY RE-**
3 **SERVE FORCE COMPONENT OF THE READY**
4 **RESERVE FLEET.**

5 Section 2218 of title 10, United States Code is
6 amended—

7 (1) by amending subsection (c)—

8 (A) by striking out “and” at the end of
9 subparagraph (C);

10 (B) by striking out the period at the end
11 of subparagraph (D) and inserting “; and” in
12 lieu thereof; and

13 (C) by adding the following new subpara-
14 graph at the end thereof:

15 “(E) expenses of the National Defense Re-
16 serve Fleet, as established by section 11 of the
17 Merchant Ship Sales Act of 1946 (50 U.S.C.
18 App. 1744).”.

19 (2) by amending subsection (i) by striking out
20 “Nothing” and inserting in lieu thereof “Except as
21 provided in subsection (c)(1)(E) of this section,
22 nothing”.

1 **Subtitle B—Reserve Component**

2 **SEC. 321. REIMBURSEMENT OF PAY AND ALLOWANCES AND**
3 **ACCOUNTABILITY OF RESERVISTS SUPPORT-**
4 **ING COOPERATIVE THREAT REDUCTION**
5 **WITH STATES OF THE FORMER SOVIET**
6 **UNION.**

7 Section 1206 of the National Defense Authorization
8 Act of 1995 (Public Law 103–337; 108 Stat. 2663) is
9 amended by adding at the end the following new sub-
10 sections:

11 “(c) REIMBURSEMENT FOR THE PAY AND ALLOW-
12 ANCES PAID TO RESERVE COMPONENT PERSONNEL.—An
13 official provided funds under this section may use those
14 funds for reimbursement of military personnel appropria-
15 tions accounts for the pay and allowances paid to reserve
16 component personnel for service while engaged in any ac-
17 tivity referred to in this section.

18 “(d) ACTIVE DUTY END STRENGTHS.—(1) A mem-
19 ber of a reserve component described in paragraph (2)
20 shall not be counted against the applicable end strength
21 limitations for members of the armed forces on active duty
22 of section 115(a)(1) of title 10 nor against the senior
23 grade strength limitations of sections 517 and 523 of title
24 10.

1 “(2) Paragraph (1) applies in the case of a member
 2 of a reserve component who is on active duty under a call
 3 or order to active duty for 180 days or more for activities
 4 under paragraph (b) above.”.

5 **SEC. 322. AUTHORITY FOR DEPARTMENT OF DEFENSE**
 6 **FUNDING FOR NATIONAL GUARD PARTICIPA-**
 7 **TION IN JOINT EXERCISES WITH ARMY AND**
 8 **AIR FORCE FOR DISASTER AND EMERGENCY**
 9 **ASSISTANCE.**

10 Section 503(a) of title 32, United States Code, is
 11 amended by adding at the end the following new sentence:
 12 “Such field exercises in conjunction with the Army or Air
 13 Force, or both, may include joint exercises for instruction
 14 to prepare the National Guard for response to civil emer-
 15 gencies and disasters.”.

16 **Subtitle C—Other Matters**

17 **SEC. 331. AVIATION AND VESSEL WAR RISK INSURANCE.**

18 (a) FINDINGS.—The Congress finds the following:

19 (1) The augmentation of the Defense Transpor-
 20 tation System, with privately owned commercial air-
 21 craft and vessels, is essential for the rapid mobiliza-
 22 tion of United States forces to meet contingencies
 23 occurring anywhere in the world.

24 (2) The inability of the owners of privately
 25 owned aircraft and vessels to obtain commercial in-

1 insurance on reasonable terms and conditions is a sig-
2 nificant impediment to the utilization of commercial
3 aircraft and vessels during such contingencies. This
4 was recognized with the creation of government in-
5 surance funds pursuant to chapter 443 of title 49 of
6 the United States Code, and title XII of the Mer-
7 chant Marine Act, 1936.

8 (3) The costs associated with the loss of a new
9 aircraft or vessel and potential liabilities to third
10 parties have exceeded the amounts available in the
11 insurance funds and threaten to jeopardize what
12 heretofore have been extremely cost effective pro-
13 grams of the Department of Transportation for the
14 Department of Defense. Financial constraints may
15 force some commercial transportation carriers to
16 forego participation, especially in aviation programs,
17 unless commercial insurance practices regarding
18 timeliness of payment can be met.

19 (4) Through an agreement authorized by the
20 above statutes, the Department of Defense has
21 agreed to indemnify the Department of Transpor-
22 tation for losses incurred on contractor missions.

23 (b) PURPOSES.—The purposes of this Act are as fol-
24 lows:

1 (1) To provide means for timely payment of
2 claims by the Department of Transportation and
3 timely reimbursement of the Aviation Insurance
4 Fund and the Marine Insurance Fund by the De-
5 partment of Defense to cover losses that may be in-
6 curred by commercial carriers supporting the na-
7 tional interests contemplated by chapter 443 of title
8 49, United States Code, and by title XII of the Mer-
9 chant Marine Act, 1936.

10 (2) To establish a mechanism for congressional
11 monitoring of the claims program, should the need
12 arise for direct involvement by Congress.

13 (c) AVIATION WAR RISK INSURANCE—REPAYMENT
14 FOR LOSSES TO THE TRANSPORTATION INSURANCE
15 FUNDS.—Section 44305 of title 49, United States Code,
16 is amended by adding at the end the following new sub-
17 section:

18 “(c)(1) The Secretary of Defense is authorized to
19 transfer, from any funds available to the Department of
20 Defense regardless of the purpose of the funds to be trans-
21 ferred, such sums as may be necessary to reimburse the
22 Administrator of the Federal Aviation Administration
23 under the provisions of this title to pay for the loss or
24 damage of civil aircraft, death or injury to personnel, and
25 losses or damage caused by or associated therewith, which

1 have been insured at the request of the Secretary of De-
2 fense. Such transfer authority shall be in addition to any
3 other statutory transfer authority and shall be made with-
4 out regard to any dollar limitations contained therein.
5 Such transfers will be merged with the amounts in the
6 Aviation Insurance Fund.

7 “(2) The Secretary of Defense shall promptly reim-
8 burse the Aviation Insurance Fund. Such reimbursement
9 to the Aviation Insurance Fund shall not be subject to
10 the notification or delay requirements contained in other
11 statutes and shall be made not later than 30 days follow-
12 ing the presentment to the Administrator of the Federal
13 Aviation Administration of a claim for the loss or damage
14 to the hull, and not later than 180 days for all other valid
15 claims as determined by the Administrator of the Federal
16 Aviation Administration. Consolidation of claims is not re-
17 quired.

18 “(3) The Secretary of Defense and the Administrator
19 of the Federal Aviation Administration shall notify Con-
20 gress as soon after the occurrence of loss as possible, and
21 in no event more than 30 days, from the occurrence of
22 damage or loss to aircraft or equipment, injury or death
23 of personnel, and loss or damage caused by or associated
24 therewith, for amounts in excess of one million dollars, in-
25 sured by the Aviation Insurance Fund pursuant to an in-

1 demnifying agreement between the Secretary of Defense
2 and the Secretary of Transportation. Updates as to the
3 total amounts expended to cover such losses, pending liti-
4 gation, and estimated total cost to the government shall
5 be submitted every 6 months until concluded.”.

6 (d) VESSEL WAR RISK INSURANCE—REPAYMENT
7 FOR LOSSES TO THE TRANSPORTATION INSURANCE
8 FUNDS.—Section 1205 of the Merchant Marine Act,
9 1936, (46 App. U.S.C. 1285) is amended by adding at
10 the end the following new subsection:

11 “(c)(1) The Secretary of Defense is authorized to
12 transfer, from any funds available to the Department of
13 Defense regardless of the purpose of the funds to be trans-
14 ferred, such sums as are necessary to reimburse the Sec-
15 retary of Transportation under the provisions of this title
16 to pay for the loss or damage of a vessel, death or injury
17 of personnel, and losses or damages caused by or associ-
18 ated therewith, which have been insured at the request of
19 the Secretary of Defense. Such transfer authority shall be
20 in addition to any other statutory transfer authority and
21 shall be made without regard to any dollar limitations con-
22 tained therein. Such transfers will be merged with the
23 amounts in the insurance fund created pursuant to section
24 1208 of this title.

11 “(3) The Secretary of Defense and the Secretary of
12 Transportation shall provide Congress on a periodic basis
13 a report of claims paid in amounts in excess of one million
14 dollars which are insured by the Marine Insurance Fund
15 pursuant to an indemnifying agreement between the Sec-
16 retary of Defense and the Secretary of Transportation.
17 Updates as to the total amounts expended to cover such
18 losses, pending litigation, and estimated total cost to the
19 government shall be submitted every 6 months until con-
20 cluded.”.

23 Section 237(a) of the National Defense Authorization
24 Act for Fiscal Year 1994 (Public Law 103–160; 107 Stat.
25 1600) is amended to read as follows:

1 “(a) TESTING OF THEATER MISSILE DEFENSE
2 INTERCEPTORS.—The Secretary of Defense may not ap-
3 prove a theater missile defense interceptor program pro-
4 ceeding beyond the Low-Rate Initial Production until the
5 Secretary certifies to the congressional defense committees
6 successful completion of Initial Operational Test and Eval-
7 uation (IOT&E) in which sufficient flight tests, involving
8 multiple interceptors and multiple targets in the presence
9 of realistic countermeasures, have been conducted, the re-
10 sults of which demonstrate the achievement by the inter-
11 ceptors of the weapons systems performance thresholds
12 specified in the system baseline document established pur-
13 suant to section 2435(a)(1)(A) of title 10, United States
14 Code, before the program entered engineering and manu-
15 facturing systems development. Modeling and simulation
16 validation by ground and flight testing may be used to
17 augment live fire testing to demonstrate weapons system
18 performance goals.”.

19 **SEC. 333. AUTHORITY TO ASSIGN OVERSEAS SCHOOL PER-**
20 **SONNEL TO DOMESTIC SCHOOLS AND VICE**
21 **VERSA.**

22 Section 2164(e) of title 10, United States Code, is
23 amended by adding at the end the following new para-
24 graph:

1 “(4) The Secretary may assign, either on a
2 temporary or continuing basis, personnel of the edu-
3 cation system established under the Defense De-
4 pendants’ Education Act of 1978 to provide adminis-
5 trative, logistical, personnel, and other support serv-
6 ices to the school system established under this sec-
7 tion and personnel of the school system established
8 under this section to provide such services for the
9 education system established by the Defense De-
10 pendants’ Education Act of 1978. Such assignments
11 may be without reimbursement by the one edu-
12 cational system to the other and may extend for
13 such periods and under such circumstances as the
14 Secretary deems necessary and appropriate.”.

15 **SEC. 334. AUTHORIZATION FOR EXPENDITURE OF O&M AND**
16 **PROCUREMENT FUNDS FOR THE ACCELER-**
17 **ATED ARCHITECTURE ACQUISITION INITIA-**
18 **TIVE.**

19 (a) IN GENERAL.—Chapter 141 of title 10, United
20 States Code, is amended by adding after section 2395 the
21 following new section:

1 **“§ 2395a. Authorization for expenditure of certain**
 2 **funds for the Accelerated Architecture**
 3 **Acquisition Initiative**

4 “Funds appropriated to the Central Imagery Office
 5 may be used for the design, development, and deployment
 6 of the Accelerated Architecture Acquisition Initiative pro-
 7 gram imagery systems for the military departments, the
 8 Unified Commands, their components, Joint Task Forces,
 9 tactical units, and federal agencies.”.

10 (b) CLERICAL AMENDMENT.—The table of sections
 11 at the beginning of chapter 141 of title 10, United States
 12 Code, is amended by adding after the item relating to sec-
 13 tion 2395 the following new item:

“2395a. Authorization for expenditure of certain funds for the Accelerated Ar-
 chitecture Acquisition Initiative.”.

14 **SEC. 335. ESTABLISHMENT OF A DEPARTMENT OF DE-**
 15 **FENSE LABORATORY REVITALIZATION DEM-**
 16 **ONSTRATION PROGRAM.**

17 (a) PROGRAM REQUIRED.—The Secretary of Defense
 18 shall carry out a Department of Defense Laboratory Revi-
 19 talization Demonstration Program. Under the program
 20 the Secretary may carry out minor military construction
 21 projects in accordance with subsection (b) and other appli-
 22 cable law to improve Department of Defense laboratories
 23 covered by the program.

1 (b) INCREASED MAXIMUM AMOUNTS APPLICABLE TO
2 MINOR CONSTRUCTION PROJECTS.—For purpose of any
3 military construction project carried out under the pro-
4 gram—

5 (1) the amount provided in subsection (a)(1) of
6 section 2805 of title 10, United States Code, shall
7 be deemed to be \$3,000,000;

8 (2) the amount provided in subsection (b)(1) of
9 such section shall be deemed to be \$1,500,000; and

10 (3) the amount provided in subsection (c)(1) of
11 such section shall be deemed to be \$1,000,000.

12 (c) DESIGNATION OF COVERED LABORATORIES.—
13 Not later than 30 days before commencing the program,
14 the Secretary shall designate the Department of Defense
15 laboratories that are to be covered by the program and
16 notify Congress of the laboratories so designated. Only the
17 designated laboratories may be covered by the program.

18 (d) REPORT.—Not later than September 30, 1999,
19 the Secretary shall submit to Congress a report on the
20 program. The report shall include the Secretary's conclu-
21 sions and recommendations regarding the desirability and
22 feasibility of extending the authority set forth in sub-
23 section (b) to cover all Department of Defense labora-
24 tories.

1 (e) EXCLUSIVITY OF PROGRAM.—Nothing in this sec-
2 tion may be construed to limit any other authority pro-
3 vided by law for any military construction project at a De-
4 partment of Defense laboratory covered by the program.

5 (f) DEFINITIONS.—In this section:

6 (1) The term “laboratory” includes—

7 (A) a research, engineering, and develop-
8 ment center;

9 (B) a test and evaluation activity owned,
10 funded, and operated by the Federal Govern-
11 ment through the Department of Defense; and

12 (C) a supporting facility of a laboratory.

13 (2) The term “supporting facility”, with respect
14 to a laboratory, means any building or structure
15 that is used in support of research, development,
16 test, and evaluation at a laboratory.

17 (3) The term “Department of Defense labora-
18 tory” does not include a contractor owned labora-
19 tory.

20 (g) EXPIRATION OF AUTHORITY.—The Secretary
21 may not carry out the program after September 30, 2000.

1 **TITLE IV—MILITARY**
2 **PERSONNEL AUTHORIZATIONS**
3 **Subtitle A—Active Forces**

4 **SEC. 401. END STRENGTHS FOR ACTIVE FORCES.**

5 (a) FISCAL YEAR 1996.—The Armed Forces are au-
6 thorized strengths for active duty personnel as of Septem-
7 ber 30, 1996, as follows:

- 8 (1) The Army, 495,000.
9 (2) The Navy, 428,000.
10 (3) The Marine Corps, 174,000.
11 (4) The Air Force, 388,200.

12 (b) FISCAL YEAR 1997.—The Armed Forces are au-
13 thorized strengths for active duty personnel as of Septem-
14 ber 30, 1997, as follows:

- 15 (1) The Army, 495,000.
16 (2) The Navy, 409,400.
17 (3) The Marine Corps, 174,000.
18 (4) The Air Force, 385,400.

19 **Subtitle B—Reserve Forces**

20 **SEC. 411. END STRENGTHENS FOR SELECTED RESERVE.**

21 (a) FISCAL YEAR 1996.—The Armed Forces are au-
22 thorized strengths for Selected Reserve personnel of the
23 reserve components as of September 30, 1996, as follows:

- 24 (1) The Army National Guard of the United
25 States, 373,000.

1 (2) The Army Reserve, 230,000.

2 (3) The Naval Reserve, 98,608.

3 (4) The Marine Corps Reserve, 42,000.

4 (5) The Air National Guard of the United
5 States, 109,458.

6 (6) The Air Force Reserve, 73,969.

7 (7) The Coast Guard Reserve, 8,000.

8 (b) FISCAL YEAR 1997.—The Armed Forces are au-
9 thorized strengths for Selected Reserve personnel of the
10 reserve components as of September 30, 1997, as follows:

11 (1) The Army National Guard of the United
12 States, 367,000.

13 (2) The Army Reserve, 215,000.

14 (3) The Naval Reserve, 96,402.

15 (4) The Marine Corps Reserve, 42,000.

16 (5) The Air National Guard of the United
17 States, 107,151.

18 (6) The Air Force Reserve, 73,160.

19 (7) The Coast Guard Reserve, 8,000.

20 (c) WAIVER AUTHORITY.—The Secretary of Defense
21 may vary the end strength authorized by subsection (a)
22 or subsection (b) by not more than 2 percent.

23 (d) ADJUSTMENTS.—The end strengths prescribed by
24 subsection (a) or (b) for the Selected Reserve of any re-
25 serve component shall be proportionately reduced by—

1 (1) the total authorized strength of units orga-
2 nized to serve as units of the Selected Reserve of
3 such component which are on active duty (other
4 than for training) at the end of the fiscal year, and

5 (2) the total number of individual members not
6 in units organized to serve as units of the Selected
7 Reserve of such component who are on active duty
8 (other than for training or for unsatisfactory partici-
9 pation in training) without their consent at the end
10 of the fiscal year.

11 Whenever such units or such individual members are re-
12 leased from active duty during any fiscal year the end
13 strength prescribed for such fiscal year for the Selected
14 Reserve of such reserve component shall be proportion-
15 ately increased by the total authorized strengths of such
16 units and by the total number of such individual members.

17 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE**
18 **DUTY IN SUPPORT OF THE RESERVES.**

19 (a) FISCAL YEAR 1996.—Within the end strengths
20 prescribed in section 402(a), the reserve components of
21 the Armed Forces are authorized, as of September 30,
22 1996, the following number of Reserves to be serving on
23 full-time active duty or full-time duty, in the case of mem-
24 bers of the National Guard, for the purpose of organizing,

1 administering, recruiting, instructing, or training the re-
2 serve components:

3 (1) The Army National Guard of the United
4 States, 23,390.

5 (2) The Army Reserve, 11,575.

6 (3) The Naval Reserve, 17,490.

7 (4) The Marine Corps Reserve, 2,285.

8 (5) The Air National Guard of the United
9 States, 9,817.

10 (6) The Air Force Reserve, 628.

11 (b) FISCAL YEAR 1997.—Within the end strengths
12 prescribed in section 402(b), the reserve components of
13 the Armed Forces are authorized, as of September 30,
14 1997, the following number of Reserves to be serving on
15 full-time active duty or full-time duty, in the case of mem-
16 bers of the National Guard, for the purpose of organizing,
17 administering, recruiting, instructing, or training the re-
18 serve components:

19 (1) The Army National Guard of the United
20 States, 23,040.

21 (2) The Army Reserve, 11,550.

22 (3) The Naval Reserve, 17,074.

23 (4) The Marine Corps Reserve, 2,285.

24 (5) The Air National Guard of the United
25 States, 9,824.

1 (6) The Air Force Reserve, 625.

2 **Subtitle C—Military Training**
3 **Student Loads**

4 **SEC. 421. AUTHORIZATION OF TRAINING STUDENT LOADS.**

5 (a) FISCAL YEAR 1996.—For fiscal year 1996, the
6 components of the Armed Forces are authorized average
7 military training loads as follows:

8 (1) The Army, 75,013.

9 (2) The Navy, 44,238.

10 (3) The Marine Corps, 26,095.

11 (4) The Air Force, 33,232.

12 (b) FISCAL YEAR 1997.—For fiscal year 1997, the
13 components of the Armed Forces are authorized average
14 military training loads as follows:

15 (1) The Army, 79,275.

16 (2) The Navy, 44,121.

17 (3) The Marine Corps, 27,255.

18 (4) The Air Force, 35,522.

19 (c) SCOPE.—The average military training student
20 loads authorized for an armed force under subsections (a)
21 and (b) apply to the active and reserve components of that
22 armed force.

23 (d) ADJUSTMENTS.—The average military student
24 loads authorized in subsections (a) and (b) shall be ad-
25 justed consistent with the end strengths authorized in

1 parts A and B. The Secretary of Defense shall prescribe
 2 the manner in which such adjustments shall be appor-
 3 tioned.

4 **TITLE V—MILITARY PERSONNEL** 5 **POLICY**

6 **Subtitle A—Officer Personnel** 7 **Policy**

8 **SEC. 501. EQUALIZATION OF ACCRUAL OF SERVICE CREDIT** 9 **FOR OFFICERS AND ENLISTED MEMBERS OF** 10 **THE ARMED FORCES.**

11 (a) ENLISTED SERVICE CREDIT.—Section 972 of
 12 title 10, United States Code, is amended to read as fol-
 13 lows:

14 **“§972. Enlisted members: required to make up time** 15 **lost**

16 “An enlisted member of an armed force who—

17 “(1) deserts;

18 “(2) is absent from his organization, station, or
 19 duty for more than one day without proper author-
 20 ity, as determined by competent authority;

21 “(3) is confined by military or civilian authori-
 22 ties for more than one day before, during or after
 23 trial; or

24 “(4) is unable for more than one day, as deter-
 25 mined by competent authority, to perform his duties

1 because of intemperate use of drugs or alcoholic liq-
2 uor, or because of disease or injury resulting from
3 his misconduct;
4 is required, after his return to full duty, to serve for a
5 period that, when added to the period that he served be-
6 fore his absence from duty, amounts to the term for which
7 he was enlisted or inducted.”.

8 (b) OFFICER SERVICE CREDIT.—Chapter 49 of title
9 10, United States Code, is amended by inserting after sec-
10 tion 972 the following new section:

11 **“§972a. Officers: service credit**

12 “(a) In the case of an officer of an armed force who—

13 “(1) deserts;

14 “(2) is absent from his organization, station, or
15 duty for more than one day without proper author-
16 ity, as determined by competent authority;

17 “(3) is confined by military or civilian authori-
18 ties for more than one day before, during or after
19 trial; or

20 “(4) is unable for more than one day, as deter-
21 mined by competent authority, to perform his duties
22 because of intemperate use of drugs or alcoholic liq-
23 uor, or because of disease or injury resulting from
24 his misconduct;

1 the period of such desertion, absence, confinement, or in-
 2 ability to perform duties may not be counted in computing,
 3 for any purpose other than basic pay under section 205
 4 of title 37, the officer's length of service.''.

5 (c) ARMY COMPUTATION OF YEARS OF SERVICE.—
 6 Section 3926 of title 10, United States Code, is amended
 7 by adding at the end the following new subsection:

8 “(e) Time identified in section 972a of this title may
 9 not be counted in computing years of service under this
 10 section.’’.

11 (d) NAVY COMPUTATION OF YEARS OF SERVICE.—
 12 Chapter 571 of title 10, United States Code, is amended
 13 by inserting after section 6327 the following new section:

14 **“§6328. Computation of years of service: voluntary**
 15 **retirement**

16 “(a) ENLISTED MEMBERS.—Time required to be
 17 made up under section 972 of this title may not be count-
 18 ed in computing years of service under this chapter.

19 “(b) OFFICERS.—Time identified in section 972a of
 20 this title may not be counted in computing years of service
 21 under this chapter.’’.

22 (e) AIR FORCE COMPUTATION OF YEARS OF SERV-
 23 ICE.—Section 8926 of title 10, United States Code, is
 24 amended by adding at the end the following new sub-
 25 section:

1 “(d) Time identified in section 972a of this title may
2 not be counted in computing years of service under this
3 section.”.

4 (f) CLERICAL AMENDMENTS.—(1) The table of sec-
5 tions at the beginning of chapter 49 of title 10, United
6 States Code, is amended by inserting after the item relat-
7 ing to section 972 the following new item:

“972a. Officers: service credit.”.

8 (2) The table of sections at the beginning of chapter
9 571 of title 10, United States Code, is amended by insert-
10 ing after the item relating to section 6327 the following
11 new item:

“6328. Computation of years of service: voluntary retirement.”.

12 (g) EFFECTIVE DATE AND APPLICABILITY.—The
13 amendments made by this section shall take effect on Oc-
14 tober 1, 1995, and shall apply to time identified in sections
15 972 or 972a of title 10, United States Code, that occurs
16 after such effective date.

17 **SEC. 502. CHANGES IN GENERAL OFFICER BILLET TITLES**
18 **RESULTING FROM THE REORGANIZATION OF**
19 **HEADQUARTERS, MARINE CORPS.**

20 (a) HEADQUARTERS, MARINE CORPS: FUNCTION;
21 COMPOSITION.—Section 5041(b) of title 10, United States
22 Code, is amended to read as follows:

23 “(b) The Headquarters, Marine Corps, is composed
24 of the following:

1 “(1) The Commandant of the Marine Corps.

2 “(2) The Vice Commandant of the Marine
3 Corps.

4 “(3) Director of the Marine Corps Staff.

5 “(4) Deputy Commandants of the Marine
6 Corps.

7 “(5) Assistant Commandants of the Marine
8 Corps.

9 “(6) Other members of the Navy and Marine
10 Corps assigned or detailed to the Headquarters, Ma-
11 rine Corps.

12 “(7) Civilian employees in the Department of
13 the Navy assigned or detailed to the Headquarters,
14 Marine Corps.”.

15 (b) VICE COMMANDANT OF THE MARINE CORPS.—
16 Section 5044 is amended—

17 (1) by amending the heading to read as follows:

18 **“§ 5044. Vice Commandant of the Marine Corps”;**

19 (2) by striking out “Assistant Commandant” in
20 each place it appears and inserting in lieu thereof
21 “Vice Commandant” in each instance.

22 (c) DIRECTOR OF THE MARINE CORPS STAFF; DEP-
23 UTY AND ASSISTANT COMMANDANTS OF THE MARINE
24 CORPS.—Section 5045 of title 10, United States Code,
25 and its heading are amended to read as follows:

1 **“§ 5045. Director of the Marine Corps Staff; Deputy**
 2 **and Assistant Commandants of the Ma-**
 3 **rine Corps.”;**

4 “There are in the Headquarters, Marine Corps, a Di-
 5 rector of the Marine Corps Staff, not more than five Dep-
 6 uty Commandants of the Marine Corps, and not more
 7 than three Assistant Commandants of the Marine Corps,
 8 detailed by the Secretary of the Navy from officers of the
 9 active-duty list of the Marine Corps.”.

10 (d) CLERICAL AMENDMENT.—The table of sections
 11 at the beginning of chapter 506 of title 10, United States
 12 Code, is amended by striking out the items relating to sec-
 13 tions 5044 and 5045 and inserting in lieu thereof the fol-
 14 lowing new items:

“5044. Vice Commandant of the Marine Corps.

“5045. Director of the Marine Corps Staff; Deputy and Assistant Commandants
 of the Marine Corps.”.

15 **SEC. 503. INCREASE IN THE TRANSITION PERIOD FOR OFFI-**
 16 **CERS SELECTED FOR EARLY RETIREMENT.**

17 (a) SELECTIVE RETIREMENT OF WARRANT OFFI-
 18 CERS.—Section 581 of title 10, United States Code, is
 19 amended—

20 (1) in subsection (b), by striking out “seventh”
 21 and inserting in lieu thereof “tenth”; and

22 (2) by adding at the end the following new sub-
 23 section:

1 “(e) The Secretary concerned may defer the retire-
2 ment of an officer otherwise approved for early retirement
3 under this section for not more than 90 days in order to
4 prevent a personal hardship for the officer or for other
5 humanitarian reasons.”.

6 (b) SELECTIVE EARLY RETIREMENT OF ACTIVE-
7 DUTY OFFICERS.—Section 638(b) of title 10, United
8 States Code, is amended—

9 (1) in paragraph (1)(A), by striking out “sev-
10 enth” and inserting in lieu thereof “tenth”; and

11 (2) by adding at the end the following new
12 paragraph:

13 “(3) The Secretary concerned may defer the re-
14 tirement of an officer otherwise approved for early
15 retirement under this section or section 638a of this
16 title for not more than 90 days, in order to prevent
17 a personal hardship for the officer or for other hu-
18 manitarian reasons.”.

19 (c) PERSONNEL STRENGTHS: REQUIREMENT FOR
20 ANNUAL AUTHORIZATION.—Section 115(d) of title 10,
21 United States Code, is amended by adding at the end the
22 following new paragraph:

23 “(8) Members selected for early retirement
24 under section 581 or section 638 of this title whose

1 retirement has been deferred under section 581(e) or
 2 section 638(b)(3) of this title.”.

3 **SEC. 504. REVISION IN THE AUTHORIZED STRENGTH LIMITATIONS FOR AIR FORCE COMMISSIONED OFFICERS ON ACTIVE DUTY IN THE GRADE OF MAJOR.**

7 (a) REVISION IN THE AUTHORIZED STRENGTH LIMITATIONS.—Notwithstanding section 523(a)(1) of title 10,
 8 United States Code, and except as provided in section
 9 523(c) of title 10, United States Code, of the total number
 10 of commissioned officers serving on active duty in the Air
 11 Force at the end of any fiscal year up to and including
 12 fiscal year 1997 (excluding officers in categories specified
 13 in section 523(b) of title 10, United States Code), the
 14 number of officers who may be serving on active duty in
 15 each of the grades of major, lieutenant colonel and colonel
 16 may not, as of the end of such fiscal year, exceed a number
 17 determined in accordance with the following table:
 18

Total number of commissioned officers (excluding officers in categories specified in section 523(b) of title 10, United States Code) on active duty:	Number of officers who may be serving on active duty in grade of:		
	Major	Lieutenant Colonel	Colonel
Air Force:			
70,000	14,612	9,428	3,392
75,000	15,407	9,801	3,573
80,000	16,202	10,175	3,754
85,000	16,997	10,549	3,935
90,000	17,792	10,923	4,115
95,000	18,587	11,297	4,296
100,000	19,382	11,671	4,477
105,000	20,177	12,045	4,658

Total number of commissioned officers (excluding officers in categories specified in section 523(b) of title 10, United States Code) on active duty:	Number of officers who may be serving on active duty in grade of:		
	Major	Lieutenant Colonel	Colonel
110,000	20,971	12,418	4,838
115,000	21,766	12,792	5,019
120,000	22,561	13,165	5,200
125,000	23,356	13,539	5,381

1 (b) EXPIRATION OF AUTHORITY.—The revision in
2 the authorized strength limitations under subsection (a)
3 expires at the close of September 30, 1997.

4 **SEC. 505. REVISION IN THE AUTHORIZED STRENGTH LIM-**
5 **TATIONS FOR NAVY COMMISSIONED OFFI-**
6 **CERS ON ACTIVE DUTY IN GRADES OF LIEU-**
7 **TENANT COMMANDER, COMMANDER, AND**
8 **CAPTAIN.**

9 (a) REVISION IN THE AUTHORIZED STRENGTH LIM-
10 TATIONS.—Notwithstanding section 523(a)(2) of title 10,
11 United States Code, and except as provided in section
12 523(c) of title 10, United States Code, of the total number
13 of commissioned officers serving on active duty in the
14 Navy at the end of any fiscal year up to and including
15 fiscal year 1997 (excluding officers in categories specified
16 in section 523(b) of title 10, United States Code), the
17 number of officers who may be serving on active duty in
18 each of the grades of lieutenant commander, commander,
19 and captain may not, as of the end of such fiscal year,

1 exceed a number determined in accordance with the fol-
 2 lowing table:

Total number of commissioned officers (excluding officers in categories specified in section 523(b) of title 10, United States Code) on active duty:	Number of officers who may be serving on active duty in grade of:		
	Lieutenant Commander	Commander	Captain
Navy:			
45,000	10,034	6,498	2,801
48,000	10,475	6,706	2,902
51,000	10,916	6,912	3,002
54,000	11,357	7,120	3,103
57,000	11,798	7,328	3,204
60,000	12,239	7,535	3,304
63,000	12,680	7,742	3,406
66,000	13,121	7,949	3,506
70,000	13,709	3,226	3,641
90,000	16,649	9,608	4,013

3 (b) EXPIRATION OF AUTHORITY.—The revision in
 4 the authorized strength limitations under subsections (a)
 5 expires at the close of September 30, 1997.

6 **SEC. 506. AUTHORIZATION OF GENERAL OR FLAG OFFICER**
 7 **PROMOTION ZONES.**

8 Section 645 of title 10, United States Code, is
 9 amended—

10 (1) by amending paragraph (1) to read as fol-
 11 lows:

12 “(1) The term ‘promotion zone’ means a pro-
 13 motion eligible category consisting of the officers on
 14 an active-duty list in the same grade and competitive
 15 category who—

1 “(A) are senior to the officer designated by
2 the Secretary of the military department con-
3 cerned to be the junior officer in the promotion
4 zone eligible for consideration for promotion to
5 the next higher grade together with the junior
6 officer so designated; and

7 “(B) in the case of officers in grades below
8 colonel, for officers of the Army, Air Force, and
9 Marine Corps, or captain, for officers of the
10 Navy, neither—

11 “(i) have failed of selection for pro-
12 motion to the next higher grade; nor

13 “(ii) have been removed from a list of
14 officers recommended for promotion to
15 that grade (other than after having been
16 placed on that list after a selection from
17 below the promotion zone).”; and

18 (2) in paragraph (2), by inserting “below the
19 grade of colonel for officers of the Army, Air Force,
20 and Marine Corps, or captain for officers of the
21 Navy,” after “a group of officers”.

**Subtitle B—Reserve Component
Matters**

SEC. 511. REPEAL OF REQUIREMENT FOR PHYSICAL EXAMINATION ON CALLING MILITIA INTO FEDERAL SERVICE.

(a) REPEAL OF REQUIREMENT.—Section 12408 of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—the table of sections at the beginning of chapter 1209 is amended by striking out the item relating to section 12408.

SEC. 512. MILITARY LEAVE FOR PUBLIC SAFETY DUTY PERFORMED BY MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES.

(a) REQUEST BY EMPLOYEE FOR MILITARY LEAVE.—Section 6323(b) of title 5, United States Code, is amended—

(1) by inserting “at the employee’s request” after the word “entitled” in the first instance in which it appears; and

(2) by adding at the end the following new sentence: “an employee who requests annual leave or compensatory time to which the employee is otherwise entitled, for a period during which the employee would have been entitled upon request to leave under this subsection, may be granted such annual leave or

1 compensatory time with our regard to this section or
2 section 5519 of this title.”.

3 (b) CONFORMING AMENDMENT.—Section 5519 of
4 title 5, United States Code, is amended by inserting “and
5 requests” after “entitled to”.

6 **SEC. 513. AUTHORITY TO PRESCRIBE THE DURATION OF**
7 **FIELD TRAINING OR PRACTICE CRUISE RE-**
8 **QUIRED FOR ADMISSION TO THE RESERVE**
9 **OFFICERS’ TRAINING CORPS ADVANCED**
10 **COURSE.**

11 Section 2104(b)(6)(A)(ii) of title 10, United States
12 Code, is amended by striking out “not less than six
13 weeks’ ” and inserting in lieu thereof “a”.

14 **SEC. 514. CLARIFYING USE OF MILITARY MORALE, WEL-**
15 **FARE, AND RECREATION FACILITIES BY RE-**
16 **TIRED RESERVISTS.**

17 Section 1065(a) of title 10, United States Code, is
18 amended by striking out the last sentence and inserting
19 in lieu thereof the following new sentences: “Such use by
20 members of the Selected Reserve, and the dependents of
21 such members, shall be permitted on the same basis as
22 members on active duty. Such use by members who would
23 be eligible for retired pay under chapter 67 of this title
24 but for the fact that the members are under 60 years of
25 age, and the dependents of such members, shall be per-

mitted on the same basis as retirees from active duty military service.”.

**SEC. 515. OBJECTIVE TO INCREASE PERCENTAGE OF
PRIOR ACTIVE DUTY PERSONNEL IN THE SE-
LECTED RESERVE.**

Section 1111(a) of the National Defense Authorization Act for Fiscal Year 1993 (10 U.S.C. 3077 note) is amended to read as follows:

“(a) OBJECTIVE TO INCREASE PERCENTAGE.—The Secretary of the Army shall have an objective of increasing the percentage of qualified prior active duty personnel in the Selected Reserve.”.

**SEC. 516. WEAR OF MILITARY UNIFORM BY NATIONAL
GUARD TECHNICIANS.**

(a) TECHNICIANS: EMPLOYMENT, USE, STATUS.—Section 7–9(b) of title 32, United States Code, is amended to read as follows:

“(b) Except as prescribed by the Secretary concerned, a technician employed under subsection (a) shall, while so employed, be a member of the National Guard, hold the military grade specified by the Secretary concerned for that position, and wear the military uniform appropriate for the member’s grade and component of the armed forces while performing duties as a technician.”.

1 (b) UNIFORM ALLOWANCE: OFFICERS; GENERAL
2 PROVISIONS.—Section 417 of title 37, United States
3 Code, is amended by inserting at the end the following
4 new subsection:

5 “(d) Service as a National Guard technician by a per-
6 son who is an officer and is required to wear a military
7 uniform pursuant to section 709(b) of title 32 shall be
8 considered active duty (other than for training) for pur-
9 poses of sections 415 and 416 of this title. Section 1593
10 of title 10, United States Code, and section 5901 of title
11 5, United States Code, shall not apply to a National
12 Guard technician who receives a uniform allowance under
13 this chapter.”.

14 (c) CLOTHING ALLOWANCE: ENLISTED MEMBERS.—
15 Section 418 of title 37, United States Code, is amended
16 by inserting at the end the following new sentences: “In
17 determining the quantity and kind of clothing and allow-
18 ances to be furnished under this section to a member who
19 is a National Guard technician, the President shall take
20 into account the requirement that such person wear a mili-
21 tary uniform pursuant to section 709(b) of title 32. Sec-
22 tion 1593 of title 10, United States Code, and section
23 5901 of title 5, United States Code, shall not apply to
24 a National Guard technician furnished clothing or allow-
25 ances under this section.”.

1 **SEC. 517. ACTIVE DUTY RETIREMENT SANCTUARY FOR RE-**
2 **SERVISTS.**

3 Section 1163(d) of title 10, United States Code, is
4 amended—

5 (1) by designating the existing matter as para-
6 graph (1); and

7 (2) by adding at the end the following new
8 paragraph:

9 “(2) The regulations prescribed under para-
10 graph (1) may except from the prohibition on invol-
11 untary release in that paragraph members who serve
12 on active duty (other than for training) under sec-
13 tion 672(d) of this title under orders specifying a pe-
14 riod of less than 180 days provided that the member
15 is informed of and consents to such exception prior
16 to entry on active duty.”.

17 **SEC. 518. INVOLUNTARILY SEPARATED MILITARY RESERVE**
18 **TECHNICIANS.**

19 Section 3329 of title 5, United States Code, is
20 amended—

21 (1) in subsection (b), by striking out “be of-
22 fered” and inserting in lieu thereof “be provided
23 placement consideration through the Department of
24 Defense Priority Placement Program”;

25 (2) in subsection (c)(1), by striking out the
26 semicolon and inserting in lieu thereof “or in an ex-

1 cepted service position that does not require military
2 membership;” and

3 (3) in subsection (c)(4), by striking out “is not
4 less than” and inserting in lieu thereof “preserves to
5 the maximum extent possible”.

6 **Subtitle C—Amendments to the** 7 **Uniform Code of Military Justice**

8 **SEC. 551. DEFINITIONS.**

9 Section 801 (article 1) of title 10, United States
10 Code, is amended by inserting after paragraph (14) the
11 following new paragraphs:

12 “(15) The term ‘classified information’ means
13 any information or material that has been deter-
14 mined by the United States Government pursuant to
15 an Executive order, statute, or regulation, to require
16 protection against unauthorized disclosure for rea-
17 sons of national security, and any restricted data, as
18 defined in section 2014(y) of title 42, United States
19 Code.

20 “(16) The term ‘national security’ means the
21 national defense and foreign relations of the United
22 States.

23 “(17) The term ‘armed conflict’ means oper-
24 ations in which members of the United States armed
25 forces are involved as combatants in military actions,

1 operations, or hostilities against an enemy of the
 2 United States or against an organized opposing for-
 3 eign armed force regardless of whether or not a war
 4 or national emergency has been declared by the
 5 President of the United States or the Congress of
 6 the United States.”.

7 **SEC. 552. JURISDICTION OVER CIVILIANS ACCOMPANYING**
 8 **THE FORCES IN THE FIELD IN TIME OF**
 9 **ARMED CONFLICT.**

10 Section 802(a)(10) (article 2(a)(10)) of title 10,
 11 United States Code, is amended to read as follows:

12 “(10) In time of armed conflict, persons serving
 13 with or accompanying an armed force in the field.”.

14 **SEC. 553. INVESTIGATIONS.**

15 Section 832 (article 32) of title 10, United States
 16 Code, is amended—

17 (1) by redesignating subsection (d) as sub-
 18 section (e); and

19 (2) by inserting after subsection (c) the follow-
 20 ing new subsection:

21 “(d) If during an investigation under this article, the
 22 evidence indicates that the accused may have committed
 23 an uncharged offense or offenses, the investigating officer
 24 is authorized to investigate the subject matter of such of-
 25 fense or offenses before the accused has been charged with

1 such offense or offenses. If the accused was present at
2 such investigation, was informed of the nature of the un-
3 charged offense or offenses, and was afforded the opportu-
4 nities for representation, cross-examination, and presen-
5 tation prescribed in subsection (b), no further investiga-
6 tion of such offense or offenses is necessary under this
7 article.”.

8 **SEC. 554. REFUSAL TO TESTIFY BEFORE COURT-MARTIAL.**

9 Section 847(b) (article 47(b)) of title 10, United
10 States Code, is amended to read as follows:

11 “(b) Any person who commits an offense named in
12 subsection (a) shall be tried on indictment or information
13 in a United States district court or in a court of original
14 criminal jurisdiction in any of the Territories, Common-
15 wealths, or possessions of the United States, and jurisdic-
16 tion is conferred upon those courts for that purpose. Upon
17 conviction, such person shall be punished by fine or im-
18 prisonment, or both, at the court’s discretion.”.

19 **SEC. 555. RECORDS OF TRIAL.**

20 Section 854(c)(1)(A) (article 54(c)(1)(A)) of title 10,
21 United States Code, is amended to read as follows:

22 “(A) in each general court-martial case in
23 which the sentence adjudged includes death, dismis-
24 sal of a commissioned officer, cadet, or midshipman,

1 dishonorable or bad-conduct discharge, or confine-
2 ment for one year or more; and”.

3 **SEC. 556. EFFECTIVE DATE OF PUNISHMENTS.**

4 Section 857(a) (article 57(a)) of title 10, United
5 States Code, is amended to read as follows:

6 “(a) Unless otherwise directed by the convening au-
7 thority, forfeitures of pay, allowances, or both, and reduc-
8 tion in grade shall be effective on the date adjudged and,
9 in the case of forfeiture, may be collected from pay accru-
10 ing on and after that date. Periods during which a sen-
11 tence to forfeiture of pay, allowances, or both, is sus-
12 pended or deferred, shall be excluded in computing the du-
13 ration of forfeiture.”.

14 **SEC. 557. DEFERMENT OF CONFINEMENT.**

15 (a) IN GENERAL.—Subchapter VIII of chapter 47 of
16 title 10, United States Code, is amended by inserting after
17 section 857 (article 57) the following new section (article):

18 **“§ 857a. Art. 57a. Deferment of confinement**

19 “(a) On application by an accused who is under sen-
20 tence to confinement that has not been ordered executed,
21 the convening authority or, if the accused is no longer
22 under his jurisdiction, the officer exercising general court-
23 martial jurisdiction over the command to which the ac-
24 cused is currently assigned, may in his sole discretion
25 defer service of the sentence to confinement. The

1 deferment shall terminate when the sentence is ordered
2 executed. The deferment may be rescinded at any time by
3 the officer who granted it or, if the accused is no longer
4 under his jurisdiction, by the officer exercising general
5 court-martial jurisdiction over the command to which the
6 accused is assigned.

7 “(b) The Secretary concerned, and, when designated
8 by him, any Under Secretary, Assistant Secretary, Judge
9 Advocate General, or any commanding officer may, during
10 the pendency of a review of the accused’s court-martial
11 conducted pursuant to section 867(a)(2) of this title (arti-
12 cle 67(a)(2)), defer further service of a sentence to con-
13 finement which has been ordered executed.

14 “(c) When an accused in the custody of a state or
15 foreign country is returned temporarily to military au-
16 thorities for trial and later returned to the sending state
17 or country under the authority of a mutual agreement or
18 treaty, the convening authority may defer service of the
19 sentence to confinement without the consent of the ac-
20 cused. The deferment will terminate when the accused is
21 released permanently to military authorities by the state
22 or country in whose custody the accused is being held.

23 “(d) The President shall prescribe such regulations
24 as are necessary to provide for granting, with or without

1 conditions, and rescinding deferments provided for under
2 this section.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of subchapter VIII of Chapter 47 of title
5 10, United States Code, is amended by inserting after the
6 item relating to section 857 (article 57) the following new
7 item:

“857a. 57a. Deferment of confinement.”.

8 (c) CONFORMING AMENDMENT.—Section 857 (article
9 57) of title 10, United States Code, is amended—

10 (1) by striking out subsection (d); and

11 (2) by redesignating subsection (e) as sub-
12 section (d).

13 **SEC. 558. SUBMISSION OF MATTERS TO THE CONVENING**
14 **AUTHORITY FOR CONSIDERATION.**

15 Section 860(b)(1) (article 60(b)(1)) of title 10,
16 United States Code, is amended to read as follows:

17 “(b)(1) The accused may submit to the convening au-
18 thority written matters for consideration by the convening
19 authority with respect to the findings and sentence. Ex-
20 cept in a summary court-martial case, such a submission
21 shall be made within 10 days after the accused has been
22 given an authenticated record of trial and, if applicable,
23 the recommendation of the staff judge advocate or legal
24 officer under subsection (d). In a summary court-martial

1 case, such submission shall be made within seven days
2 after the sentence is announced.”.

3 **SEC. 559. PROCEEDINGS IN REVISION.**

4 Section 860 (article 60) of title 10, United States
5 Code, is amended—

6 (1) by redesignating subsection (e)(3) as sub-
7 section (e)(4); and

8 (2) by inserting after subsection (e)(2) the fol-
9 lowing new subsection:

10 “(e)(3) Notwithstanding any other provision in this
11 section, a proceeding in revision may be ordered, prior to
12 authentication of the record of trial by the military judge,
13 to correct an erroneously announced sentence.”.

14 **SEC. 560. POST-TRIAL REVIEW OF COURTS-MARTIAL.**

15 (a) WAIVER OF WITHDRAWAL OF APPEAL.—Section
16 861(c) (article 61(c)) of title 10, United States Code, is
17 amended to read as follows:

18 “(c) A waiver of the right to appellate review or the
19 withdrawal of an appeal bars review under section 866 or
20 869(a) of this title (article 66 or 69(a)) or an application
21 for relief under section 869(b) of this title (article
22 69(b)).”.

23 (b) REVIEW IN THE OFFICE OF THE JUDGE ADVO-
24 CATE GENERAL.—Section 869(b) (article 69(b)) of title
25 10, United States Code, is amended to read as follows:

1 “(b) Unless the accused has waived or withdrawn the
2 right to appellate review under section 861 of this title
3 (article 61), the findings or sentence, or both, in a court-
4 martial case not reviewed under subsection (a) or under
5 section 866 of this title (article 66) may be modified or
6 set aside, in whole or in part, by the Judge Advocate Gen-
7 eral on the ground of newly discovered evidence, fraud on
8 the court, lack of jurisdiction over the accused or the of-
9 fense, error prejudicial to the substantial rights of the ac-
10 cused, or the appropriateness of the sentence. The applica-
11 tion must be filed in the office of the Judge Advocate Gen-
12 eral by the accused on or before the last day of the two-
13 year period beginning on the date the sentence is approved
14 under section 860(c) of this title (article 60(c)), unless the
15 accused establishes good cause for failure to file within
16 that time.”.

17 **SEC. 561. APPEAL BY THE UNITED STATES.**

18 Section 862(a)(1) (article 62(a)(1)) of title 10,
19 United States Code, is amended to read as follows:

20 “(a)(1) In a trial by court-martial in which a military
21 judge presides and in which a punitive discharge may be
22 adjudged, the United States may appeal an order or ruling
23 of the military judge which terminates the proceedings
24 with respect to a charge or specification or which excludes
25 evidence that is substantial proof of a fact material in the

1 proceeding, or, an order or ruling which directs the disclo-
 2 sure of classified information, imposes sanctions for
 3 nondisclosure of classified information, or which refuses
 4 to issue a protective order sought by the United States
 5 to prevent the disclosure of classified information, or re-
 6 fuses to enforce such an order previously issued by appro-
 7 priate authority. The United States may not appeal an
 8 order or ruling that is or that amounts to, a finding of
 9 not guilty with respect to the charge or specification.”.

10 **SEC. 562. FLIGHT FROM APPREHENSION.**

11 (a) IN GENERAL.—Section 895 (article 95) of title
 12 10, United States Code, is amended to read as follows:

13 **“§ 895. Art. 95. Resistance, flight, breach of arrest,**
 14 **and escape**

15 “Any person subject to this chapter who resists or
 16 flees from apprehension or breaks arrest or who escapes
 17 from custody or confinement shall be punished as a court-
 18 martial may direct.”.

19 (b) CLERICAL AMENDMENT.—The item relating to
 20 section 895 (article 95) in the table of sections at the be-
 21 ginning of subchapter X of chapter 47 of title 10, United
 22 States Code, is amended to read as follows:

“895. 95. Resistance, flight, breach of arrest, and escape.”.

1 **SEC. 563. CARNAL KNOWLEDGE.**

2 (a) GENDER NEUTRAL.—Section 920(b) (article
3 120(b)) of title 10, United States Code, is amended to
4 read:

5 “(b) Any person subject to this chapter who, under
6 circumstances not amounting to rape, commits an act of
7 sexual intercourse with a person—

8 “(1) who is not his or her spouse; and

9 “(2) who has not attained the age of sixteen
10 years; is guilty of carnal knowledge and shall be
11 punished as a court-martial may direct.”.

12 (b) MISTAKE OF FACT.—Section 920 (article 120) of
13 title 10, United States Code, is amended by adding at the
14 end the following subsection:

15 “(d) In a prosecution under subsection (b) of this sec-
16 tion, it is a defense, that the accused must establish by
17 a preponderance of the evidence, that, at the time of the
18 alleged offense,—

19 “(1) the person with whom the accused commit-
20 ted the act of sexual intercourse had attained the
21 age of 12 years; and

22 “(2) the accused reasonably believed that the
23 person with whom the accused committed the act of
24 sexual intercourse had attained the age of 16
25 years.”.

1 **SEC. 564. INSTRUCTION IN THE UNIFORM CODE OF MILI-**
2 **TARY JUSTICE.**

3 Section 937(a)(1) (article 137(a)(1)) of title 10,
4 United States Code, is amended to read as follows:

5 “(a)(1) The sections of this title (articles of the Uni-
6 form Code of Military Justice) specified in paragraph (3)
7 shall be carefully explained to each enlisted member at the
8 time of (or within fourteen days after)—

9 “(A) the member’s initial entrance on active
10 duty; or

11 “(B) the member’s initial entrance into a duty
12 status with a reserve component.”.

13 **Subtitle D—Other Matters**

14 **SEC. 571. INDEFINITE REENLISTMENTS FOR CAREER EN-**
15 **LISTED MEMBERS.**

16 Section 505(d) of title 10, United States Code, is
17 amended to read as follows:

18 “(d) For members with less than 10 years of service,
19 the Secretary concerned may accept reenlistments in the
20 Regular Army, Regular Navy, Regular Air Force, Regular
21 Marine Corps, or Regular Coast Guard, as the case may
22 be, for periods of at least two but not more than six years.
23 At the discretion of the Secretary concerned, members
24 with 10 or more years of service reenlisting in the Regular
25 Army, Regular Navy, Regular Air Force, Regular Marine
26 Corps, or Regular Coast Guard, as the case may be, who

1 meet all qualifications for continued service, may be ac-
 2 cepted for reenlistment of an unspecified period of time
 3 on a career basis. Such person will be required to continue
 4 to maintain minimum qualifications, as prescribed by the
 5 Secretary concerned for continued service.”.

6 **SEC. 572. CHIEF WARRANT OFFICER PROMOTIONS.**

7 (a) REDUCTION OF MINIMUM TIME IN GRADE RE-
 8 QUIRED FOR CHIEF WARRANT OFFICER TO BE CONSID-
 9 ERED FOR PROMOTION.—Section 574(e) of title 10,
 10 United States Code, is amended by striking out “three”
 11 and inserting in lieu thereof “two”;

12 (b) AUTHORIZATION OF BELOW-ZONE SELECTION
 13 FOR PROMOTION TO GRADE OF CHIEF WARRANT OFFI-
 14 CER.—Section 575(b) of title 10 is amended by inserting
 15 “chief warrant officer, W-3,” after “to consider warrant
 16 officers for selection for promotion to the grade of”.

17 **SEC. 573. RETIREMENT OF DIRECTOR OF ADMISSIONS,**
 18 **UNITED STATES MILITARY ACADEMY, FOR**
 19 **YEARS OF SERVICE.**

20 (a) IN GENERAL.—Section 3920 of title 10, United
 21 States Code, is amended—

22 (1) by amending the heading to read as follows:

1 **“§ 3920. More than thirty years: permanent profes-**
 2 **sors and the Director of Admissions of**
 3 **United States Military Academy”.**

4 (2) by inserting “or the Director of Admis-
 5 sions” after “permanent professor”.

6 (b) The table of sections at the beginning of chapter
 7 367 of title 10, United States Code, is amended by amend-
 8 ing the item relating to section 39820 to read as follows:

“3920. More than thirty years: permanent professors and the Director of Admis-
 sions of United States Military Academy.”.

9 **TITLE VI—COMPENSATION AND**
 10 **OTHER PERSONNEL BENEFITS**
 11 **Subtitle A—Pay and Allowances**

12 **SEC. 601. MILITARY PAY RAISE FOR FISCAL YEAR 1996.**

13 (a) **WAIVER OF SECTION 1009 ADJUSTMENT.**—Any
 14 adjustment required by section 1009 of title 37, United
 15 States Code, in elements of compensation of members of
 16 the uniformed services to become effective during fiscal
 17 year 1996 shall not be made.

18 (b) **INCREASE IN BASIC PAY AND BAS.**—Effective on
 19 January 1, 1996, the rates of basic pay and basic allow-
 20 ance for subsistence of members of the uniformed services
 21 are increased by 2.4 percent.

22 (c) **INCREASE IN BAQ.**—Effective on January 1,
 23 1996, the rates of basic allowance for quarters of members
 24 of the uniformed services are increased by 3.4 percent.

1 **SEC. 602. EVACUATION ALLOWANCES THAT PERMITS**
2 **EQUAL TREATMENT OF MILITARY DEPEND-**
3 **ENTS TO CIVILIANS AND THEIR DEPEND-**
4 **ENTS.**

5 (a) EQUAL TREATMENT OF MILITARY DEPENDENTS
6 TO CIVILIANS AND THEIR DEPENDENTS.—Section 405a
7 (a) of title 37, United States Code, is amended by striking
8 out “ordered” each place such word appears and inserting
9 in lieu thereof in each instance “officially authorized or
10 ordered”.

11 (b) EFFECTIVE DATE AND APPLICABILITY.—The
12 amendments to section 405a(a) by subsection (a) shall
13 take effect on October 1, 1995, and shall apply to persons
14 ordered or authorized to evacuate in accordance with sec-
15 tion 405a, as revised by this Act, on or after such date.

16 **SEC. 603. CONTINUOUS ENTITLEMENT TO CAREER SEA PAY**
17 **FOR CREWMEMBERS OF SHIPS DESIGNATED**
18 **AS TENDERS.**

19 Section 305a(d)(1)(A) of title 37, United States
20 Code, is amended by inserting “, or while serving as a
21 member of a tender-class ship (with the hull classification
22 of submarine or destroyer)” after “the off-crew of a two-
23 crewed submarine”.

1 **SEC. 604. INCREASE IN THE SUBSISTENCE ALLOWANCE**
2 **PAYABLE TO MEMBERS OF SENIOR RESERVE**
3 **OFFICER'S TRAINING CORPS.**

4 (a) INCREASE.—Section 209(a) of title 37, United
5 States Code, is amended by striking out “\$150 a month”
6 in the first sentence and inserting in lieu thereof “\$200
7 a month”.

8 (b) APPLICATION OF INCREASE.—(1) Except as pro-
9 vided in paragraph (2), the amendments made by sub-
10 section (a) shall apply with respect to months beginning
11 after August 31, 1996.

12 (2) Upon the approval of the Secretary of Defense,
13 the Secretary of a military department may implement
14 such amendments at an earlier date with respect to mem-
15 bers of the Senior Reserve Officer's Training Corps under
16 the jurisdiction of the Secretary if funds are available for
17 the monthly subsistence allowances authorized by such
18 amendments.

19 **SEC. 605. DISLOCATION ALLOWANCE (DLA) FOR BASE RE-**
20 **ALIGNMENT AND CLOSURE (BRAC) MOVES.**

21 Section 407(a)(1) of title 37, United States Code, is
22 amended by inserting “directed order to move as a result
23 of a base realignment or closure or” before “change of
24 permanent station,”.

1 **SEC. 606. FAMILY SEPARATION ALLOWANCE (FSA-II).**

2 Section 427(b)(3) of title 37, United States Code, is
3 amended by inserting “subparagraph A of” after “not en-
4 titled to an allowance under”.

5 **SEC. 607. AUTHORIZATION OF PAYMENT OF BASIC ALLOW-**
6 **ANCE FOR QUARTERS TO CERTAIN MEMBERS**
7 **OF THE UNIFORMED SERVICES ASSIGNED TO**
8 **SEA DUTY.**

9 (a) IN GENERAL.—Section 403(c)(2) of title 37,
10 United States Code, is amended—

11 (1) in the first sentence, by striking out “E-7”
12 and inserting in lieu thereof “E-6”; and

13 (2) in the second sentence, by striking out “E-
14 6” and inserting in lieu thereof “E-5”.

15 (b) EFFECTIVE DATE.—The amendment made by
16 this section shall take effect as of July 1, 1996.

17 **Subtitle B—Income Tax Matters**

18 **SEC. 611. EXCLUSION OF COMBAT PAY FROM WITHHOLD-**
19 **ING LIMITED TO AMOUNT EXCLUDABLE**
20 **FROM GROSS INCOME.**

21 (a) IN GENERAL.—Paragraph (1) of section 3401(a)
22 (defining wages) of the Internal Revenue Code of 1986
23 (26 U.S.C. 3401(a)) is amended by striking the semicolon
24 at the end and inserting in lieu thereof “to the extent re-
25 muneration for such service is excludable from gross in-
26 come under such section;”.

1 (b) EFFECTIVE DATE AND APPLICABILITY.—The
2 amendment made by this section shall apply to remunera-
3 tion paid after December 31, 1994.

4 **Subtitle C—Bonuses and Special**
5 **and Incentive Pays**

6 **SEC. 621. AVIATION CAREER INCENTIVE PAY (ACIP) GATES.**

7 Section 301a(a)(4) of title 37, United States Code,
8 is amended by striking out “9” in the first sentence and
9 inserting in lieu thereof “8”.

10 **SEC. 622. EXPIRING AUTHORITIES.**

11 (a) SELECTED RESERVE REENLISTMENT BONUS.—
12 Section 308b(f) of title 37, United States Code, is amend-
13 ed by striking out “September 30, 1996” and inserting
14 in lieu thereof “September 30, 1998”.

15 (b) SELECTED RESERVE ENLISTMENT BONUS.—Sec-
16 tion 308c(e) of title 37, United States Code, is amended
17 by striking out “September 30, 1996” and inserting in
18 lieu thereof “September 30, 1998”.

19 (c) SELECTED RESERVE AFFILIATION BONUS.—Sec-
20 tion 308e(e) of title 37, United States Code, is amended
21 by striking out “September 30, 1996” and inserting in
22 lieu thereof “September 30, 1998”.

23 (d) READY RESERVE ENLISTMENT AND REENLIST-
24 MENT BONUS.—Section 308h(g) of title 37, United States

1 Code, is amended by striking out “September 30, 1996”
2 and inserting in lieu thereof “September 30, 1998”.

3 (e) PRIOR SERVICE ENLISTMENT BONUS.—Section
4 308i(i) of title 37, United States Code, is amended by
5 striking out “September 30, 1996” and inserting in lieu
6 thereof “September 30, 1998”.

7 (f) NURSE OFFICER CANDIDATE ACCESSION PRO-
8 GRAM.—Section 2130a(a)(1) of title 10, United States
9 Code, is amended by striking out “September 30, 1996”
10 and inserting in lieu thereof “September 30, 1998”.

11 (g) ACCESSION BONUS FOR REGISTERED NURSES.—
12 Section 302d(a)(1) of title 37, United States Code, is
13 amended by striking out “September 30, 1996” and in-
14 serting in lieu thereof “September 30, 1998”.

15 (h) INCENTIVE SPECIAL PAY FOR NURSE ANES-
16 THETISTS.—Section 302e(a)(1) of title 37, United States
17 Code, is amended by striking out “September 30, 1996”
18 and inserting in lieu thereof “September 30, 1998”.

19 (i) REENLISTMENT BONUS FOR ACTIVE MEM-
20 BERS.—Section 308(g) of title 37, United States Code, is
21 amended by striking out “September 30, 1996” and in-
22 serting in lieu thereof “September 30, 1998”.

23 (j) ENLISTMENT BONUS FOR CRITICAL SKILLS.—
24 Section 308a(c) of title 37, United States Code, is amend-

1 ed by striking out “September 30, 1996” and inserting
2 in lieu thereof “September 30, 1998”.

3 (k) BONUS FOR ENLISTMENT IN THE ARMY.—Sec-
4 tion 308f(c) of title 37, United States Code, is amended
5 by striking out “September 30, 1996” and inserting in
6 lieu thereof “September 30, 1998”.

7 (l) SPECIAL PAY FOR ENLISTED MEMBERS OF THE
8 SELECTED RESERVE ASSIGNED TO CERTAIN HIGH PRI-
9 ORITY UNITS.—Section 308d(c) of title 37, United States
10 Code, is amended by striking out “September 30, 1996”
11 and inserting in lieu thereof “September 30, 1998”.

12 (m) REPAYMENT OF EDUCATION LOANS FOR CER-
13 TAIN HEALTH PROFESSIONALS WHO SERVE IN THE SE-
14 LECTED RESERVE.—Section 2172(d) of title 10, United
15 States Code, is amended by striking out “October 1,
16 1996” and inserting in lieu thereof “October 1, 1998”.

17 (n) SPECIAL PAY FOR CRITICALLY SHORT WARTIME
18 HEALTH SPECIALISTS IN THE SELECTED RESERVES.—
19 Section 613(d) of the National Defense Authorization Act,
20 Fiscal Year 1989 (37 U.S.C. 302 note) is amended by
21 striking out “September 30, 1996” and inserting in lieu
22 thereof “September 30, 1998”.

23 (o) SPECIAL PAY FOR NUCLEAR QUALIFIED OFFI-
24 CERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section
25 312(e) of title 37, United States Code, is amended by

1 striking out “September 30, 1996” and inserting in lieu
2 thereof “September 30, 2000”.

3 (p) NUCLEAR CAREER ACCESSION BONUS.—Section
4 312b(c) of title 37, United States Code, is amended by
5 striking out “September 30, 1996” and inserting in lieu
6 thereof “September 30, 2000”.

7 (q) NUCLEAR CAREER ANNUAL INCENTIVE
8 BONUS.—Section 312c(d) of title 37, United States Code,
9 is amended by striking out “October 1, 1996” and insert-
10 ing in lieu thereof “October 1, 2000”.

11 (r) GRADE DETERMINATION AUTHORITY FOR CER-
12 TAIN RESERVE MEDICAL OFFICERS.—Sections 3359(b)
13 and 8359(b) of title 10, United States Code, are amended
14 by striking out “September 30, 1995” and inserting in
15 lieu thereof “September 30, 1996”.

16 (s) PROMOTION AUTHORITY FOR CERTAIN RESERVE
17 OFFICERS SERVING ON ACTIVE DUTY.—Sections 3380(d)
18 and 8380(d) of title 10, United States Code, are each
19 amended by striking out “September 30, 1995” and in-
20 serting in lieu thereof “September 30, 1996”.

21 (t) YEARS OF SERVICE FOR MANDATORY TRANSFER
22 TO THE RETIRED RESERVE.—Section 1016(d) of the De-
23 partment of Defense Authorization Act, 1984 (10 U.S.C.
24 3360) is amended by striking out “September 30, 1995”
25 and inserting in lieu thereof “September 30, 1996”.

1 (u) WAR RISK INSURANCE.—Section 1214 of the
 2 Merchant Marine Act, 1936 (14 App. U.S.C. 1294) is
 3 amended by striking out “June 30, 1995” and inserting
 4 in lieu thereof “June 30, 2000”.

5 (v) MAKE PERMANENT THE AVIATION OFFICER RE-
 6 TENTION BONUS.—Section 301b(a) of title 37, United
 7 States Code, is amended by striking out “, during the pe-
 8 riod beginning on January 1, 1989, and ending on Sep-
 9 tember 30, 1996,”.

10 (w) MAKE PERMANENT THE AUTHORITY FOR TEM-
 11 PORARY PROMOTIONS OF CERTAIN NAVY LIEUTEN-
 12 ANTS.—Section 5721 of title 10, United States Code, is
 13 amended by striking out subsection (f).

14 (x) MAKE PERMANENT THE AUTHORITY FOR SPE-
 15 CIALIZED TREATMENT FACILITY PROGRAM.—Section
 16 1105 of title 10, United States Code, is amended by strik-
 17 ing out subsection (h).

18 **Subtitle D—Travel and** 19 **Transportation Allowances**

20 **SEC. 631. AUTHORITY TO EXPEND APPROPRIATED FUNDS**
 21 **TO PAY CERTAIN ACTUAL EXPENSES OF RE-**
 22 **SERVISTS.**

23 Section 404(j) of title 37, United States Code, is
 24 amended—

1 (1) in paragraph (1), by striking out the period
 2 at the end of the paragraph and inserting in lieu
 3 thereof “or, if transient government quarters are un-
 4 available, may provide contract quarters as lodging
 5 in kind as if the member were entitled to such allow-
 6 ances under subsection (a) of this section.”; and

7 (2) in paragraph (3), by inserting “or expenses
 8 for contract quarters” after “service charge ex-
 9 penses”.

10 **SEC. 632. FLEXIBILITY WHEN AUTHORIZING SHIPMENT OF**
 11 **A MOTOR VEHICLE INCIDENT TO PERMA-**
 12 **NENT CHANGE OF STATION ORDERS.**

13 (a) IN GENERAL.—Section 2634(a)(4) of title 10,
 14 United States Code, is amended—

15 (1) by striking out “surface”;

16 (2) by inserting after “by other transportation
 17 if” “under regulations developed by the Secretary of
 18 Defense,”; and

19 (3) by striking out “does” and inserting in lieu
 20 thereof is “determined”.

21 (b) EFFECTIVE DATE AND APPLICABILITY.—Section
 22 2634(a)(4) of title 10, United States Code, as amended
 23 by this section, shall take effect on October 1, 1995, and
 24 shall apply to vehicles placed for shipment on or after such
 25 date.

1 **SEC. 633. AUTHORIZATION OF RETURN TO UNITED STATES**
 2 **OF FORMERLY DEPENDENT CHILDREN WHO**
 3 **ATTAIN AGE OVERSEAS.**

4 (a) IN GENERAL.—Section 406(h)(1) of title 37,
 5 United States Code, is amended by striking out the last
 6 sentence and inserting in lieu thereof the following new
 7 sentence: “For the purposes of this section, a member’s
 8 unmarried child for whom the member received transpor-
 9 tation in kind to his station outside the United States or
 10 in Hawaii or Alaska, reimbursement therefor, or a mone-
 11 tary allowance in place thereof and who ceased to be a
 12 dependent, by reason of age, or graduation from or ces-
 13 sation of enrollment in an institution of higher education,
 14 while the member was serving at that station shall be con-
 15 sidered as a dependent of the member.”.

16 (b) EFFECTIVE DATE.—The amendment made by
 17 this section shall take effect on October 1, 1996.

18 **Subtitle E—Retired Pay, Insurance,**
 19 **and Survivor Benefits**

20 **SEC. 641. RETIRED PAY FOR NON-REGULAR SERVICE.**

21 Section 1331 of chapter 67 of title 10, United States
 22 Code, is amended—

23 (1) by redesignating subsections (d) and (e) as
 24 subsections (e) and (f) respectively; and

25 (2) by inserting after subsection (c) the follow-
 26 ing new subsection:

1 “(d) No person who is convicted of an offense under
2 the Uniform Code of Military Justice (chapter 47 of title
3 10), and whose executed sentence includes death, dishon-
4 orable discharge, bad conduct discharge, or dismissal from
5 the service, is eligible for retired pay under this chapter.”.

6 **SEC. 642. FISCAL YEAR 1996 COST-OF-LIVING ADJUSTMENT**
7 **FOR MILITARY RETIREES.**

8 (a) IN GENERAL.—Notwithstanding the provisions of
9 section 1401a(b)(2)(B)(ii) of title 10, United States Code,
10 or of section 8114A(b) of Department of Defense Appro-
11 priations Act, 1995 (Public Law 103–335; 108 Stat.
12 2648), or of any other provision of law, the fiscal year
13 1996 increase in military retired pay first shall be payable
14 as part of such retired pay for the month of March 1996.

15 (b) DEFINITIONS.—For the purpose of this section,
16 the following definitions apply:

17 (1) The term “fiscal year 1996 increase in mili-
18 tary retired pay” means the increase in retired pay
19 that, pursuant to paragraph (1) of section 1401a(b)
20 of title 10, United States Code, becomes effective on
21 December 1, 1995.

22 (2) The term “retired pay” includes retainer
23 pay.

1 **SEC. 643. AUTOMATIC SERVICEMEN'S GROUP LIFE INSUR-**
2 **ANCE (SGLI).**

3 Section 1967 of title 38, United States Code, is
4 amended—

5 (1) in subsections (a) and (c), by striking out
6 “\$100,000” each place it appears and inserting in
7 lieu thereof in each instance “\$200,000”;

8 (2) by striking out subsection (e); and

9 (3) by redesignating subsection (f) as sub-
10 section (e).

11 **SEC. 644. IMPROVED DEATH AND DISABILITY BENEFITS**
12 **FOR RESERVISTS.**

13 (a) MEDICAL AND DENTAL CARE: MEMBERS ON
14 DUTY OTHER THAN ACTIVE DUTY FOR A PERIOD OF
15 MORE THAN 30 DAYS.—Section 1074a(a) of title 10,
16 United States Code, is amended by inserting after para-
17 graph (2) the following new paragraph:

18 “(3) Each member of a uniformed service who
19 incurs or aggravates an injury, illness, or disease in
20 the line of duty while remaining overnight at or in
21 the vicinity of a site outside reasonable commuting
22 distance from the member's residence at which site
23 the member has performed inactive duty training be-
24 tween successive periods of such training.”.

1 (b) RECOVERY, CARE, AND DISPOSITION OF RE-
2 MAINS: DECEDENTS COVERED.—Section 1481(a)(2) of
3 title 10, United States Code, is amended—

4 (1) in subparagraph (C), by striking out “or”
5 at the end of the subparagraph;

6 (2) by redesignating subparagraph (D) as sub-
7 paragraph (E); and

8 (3) by inserting after subparagraph (C) the fol-
9 lowing new subparagraph:

10 “(D) remaining overnight at or in the vi-
11 cinity of a site outside reasonable commuting
12 distance from the member’s residence at which
13 site the member has performed inactive duty
14 training between successive periods of such
15 training; or”.

16 (c) ENTITLEMENT TO BASIC PAY.—Section 204 of
17 title 37, United States Code is amended—

18 (1) in subsection (g)(1)—

19 (A) in subparagraph (B), by striking out
20 “or” at the end of the subparagraph;

21 (B) in subparagraph (C), by striking out
22 the period at the end of the subparagraph and
23 inserting in lieu thereof “; or”; and

24 (C) by inserting after subparagraph (C)
25 the following new subparagraph:

1 “(D) in line of duty while remaining over-
2 night at or in the vicinity of a site outside rea-
3 sonable commuting distance from the member’s
4 residence at which site the member has per-
5 formed inactive duty training between succes-
6 sive periods of such training.”; and

7 (2) in subsection (h)(1)—

8 (A) in subparagraph (B), by striking out
9 “or” at the end of the subparagraph;

10 (B) in subparagraph (C), by striking out
11 the period at the end of the subparagraph and
12 inserting in lieu thereof “; or”; and

13 (C) by inserting after subparagraph (C)
14 the following new subparagraph:

15 “(D) in line of duty while remaining over-
16 night at or in the vicinity of a site outside rea-
17 sonable commuting distance from the member’s
18 residence at which site the member has per-
19 formed inactive duty training between succes-
20 sive periods of such training.”.

21 (d) RESERVES: MEMBERS OF NATIONAL GUARD: IN-
22 ACTIVE-DUTY TRAINING.—Section 206(a)(3) of title 37,
23 United States Code, is amended—

24 (1) in subparagraph (A), by striking out “or”
25 at the end of clause (ii);

1 (2) in subparagraph (B), by striking out the pe-
 2 riod at the end of the subparagraph and inserting in
 3 lieu thereof “; or”; and

4 (3) by inserting after subparagraph (B) the fol-
 5 lowing new subparagraph:

6 “(C) in line of duty while remaining over-
 7 night at or in the vicinity of a site outside rea-
 8 sonable commuting distance from the member’s
 9 residence at which site the member has per-
 10 formed inactive duty training between succes-
 11 sive periods of such training.”.

12 **Subtitle F—Separation Pay**

13 **SEC. 651. TRANSITIONAL COMPENSATION FOR DEPEND-** 14 **ENTS OF MEMBERS OF THE ARMED FORCES** 15 **SEPARATED FOR DEPENDENT ABUSE.**

16 (a) Section 1059(d) of title 10, United States Code,
 17 is amended by striking out “of a separation from active
 18 duty as” in the first sentence.

19 **SEC. 661. MILITARY CLOTHING SALES STORES, REPLACE-** 20 **MENT SALES.**

21 (a) IN GENERAL.—Chapter 651 of title 10, United
 22 States Code, is amended by adding at the end the follow-
 23 ing new section:

1 **“§ 7606. Subsistence and other supplies: members of**
2 **armed forces; veterans; Executive or mili-**
3 **tary departments and employees; prices**

4 “(a) The branch, office or officer designated by the
5 Secretary of the Navy shall procure or sell, for cash or
6 credit—

7 “(1) articles specified by the Secretary of the
8 Navy or a person designated by him, to members of
9 the Navy and Marine Corps; and

10 “(2) items of individual clothing and equipment
11 to members of the Navy and Marine Corps, under
12 such restrictions as the Secretary may prescribe.

13 An account of sales on credit shall be kept and the amount
14 due reported to any branch office, or officer designated
15 by the Secretary. Except for articles and items acquired
16 through the use of working capital funds under section
17 2208 of this title, sales of articles shall be at cost, and
18 sales of individual clothing and equipment shall be at aver-
19 age current prices, including overhead, as determined by
20 the Secretary.

21 “(b) The branch, office, or officer designated by the
22 Secretary shall sell subsistence supplies to members of
23 other armed forces at the prices at which like property
24 is sold to members of the Navy and Marine Corps.

25 “(c) The branch, office or officer designated by the
26 Secretary may sell serviceable supplies, other than subsist-

1 ence supplies, to members of other armed forces at the
2 prices at which like property is sold to members of the
3 Navy and Marine Corps.

4 “(d) A person who has been discharged honorably or
5 under honorable conditions from the Army, Navy, Air
6 Force or Marine Corps and who is receiving care and med-
7 ical treatment from the Public Health Service or the De-
8 partment of Veterans Affairs may buy subsistence supplies
9 and other supplies, except articles of uniform, at the prices
10 at which like property is sold to members of the Navy and
11 Marine Corps.

12 “(e) Under such conditions as the Secretary may pre-
13 scribe, exterior articles of uniform may be sold to a person
14 who has been discharged from the Navy or Marine Corps
15 honorably or under honorable conditions at the prices at
16 which like articles are sold to members of the Navy or
17 Marine Corps. This subsection does not modify sections
18 772 or 773 of this title.

19 “(f) Under regulations prescribed by the Secretary,
20 payment for subsistence supplies shall be made in cash
21 or by commercial credit.

22 “(g) The Secretary may provide for the procurement
23 and sale of stores designated by him to such civilian offi-
24 cers and employees of the United States, and such other
25 persons as he considers proper—

1 “(1) at military installations outside the United
2 States (provided such sales conform with host nation
3 support agreements); and

4 “(2) at military installations inside the United
5 States where the Secretary determines that it is im-
6 practicable for those civilian officers, employees, and
7 persons to obtain such stores from commercial enter-
8 prises without impairing the efficient operation of
9 military activities.

10 However, sales to such civilian officers and employees of
11 the United States inside the United States may be only
12 to those who reside within military installations.

13 “(h) Appropriations for subsistence of the Navy or
14 Marine Corps may be applied to the purchase of subsist-
15 ence supplies for sale to members of the Navy and Marine
16 Corps on active duty for the use of themselves and their
17 families.”.

18 (b) CLERICAL AMENDMENT.—The table of sections
19 at the beginning of chapter 651 of title 10, United States
20 Code is amended by adding at the end the following new
21 item:

 “7606. Subsistence and other supplies: members of armed forces; veterans; Ex-
 ecutive or military departments and employees; prices.”.

TITLE VII—CIVILIAN EMPLOYEES

SEC. 701. HOLIDAYS AND ALTERNATIVE WORK SCHEDULES.

Section 6103(b)(2) of title 5, United States Code, is amended to read as follows:

“(2)(A) Subject to agency discretion, instead of a holiday that occurs on a regular weekly non-workday (other than discussed in (b)) of an employee whose basic workweek is other than Monday through Friday, the workday immediately before that regular weekly non-workday is a legal holiday for the employee.

“(B) Subject to agency discretion, instead of a holiday that occurs on a regular weekly non-workday administratively scheduled for the employee instead of Sunday (or any immediately following non-workday), the next immediately following workday is a legal holiday for the employee.”.

SEC. 702. ELIMINATION OF 120-DAY LIMITATION ON DETAILS.

Section 3341(b) of title 5, United States Code, is amended to read as follows:

“(b) Details under subsection (a) of this section may be made only by written order of the head of the agency or his designee.”.

1 **SEC. 703. ELIMINATION OF PART-TIME EMPLOYMENT RE-**
2 **PORTS.**

3 Section 3407 of title 5, United States Code, is re-
4 pealed.

5 **Subtitle B—Compensation and**
6 **Other Personnel Benefits**

7 **SEC. 711. REPEAL OF PROHIBITION ON PAYMENT OF LODG-**
8 **ING EXPENSES WHEN ADEQUATE GOVERN-**
9 **MENT QUARTERS ARE AVAILABLE.**

10 Section 1589 of title 10, United States Code, is re-
11 pealed.

12 **SEC. 712. OVERTIME EXEMPTION FOR NONAPPROPRIATED**
13 **FUND (NAF) EMPLOYEES.**

14 Section 6121(2) of title 5, United States Code, is
15 amended to read as follows:

16 “(2) ‘employee’ has the meaning given it by sec-
17 tion 2105(a) of this title and also includes those
18 paid from nonappropriated funds of the Army and
19 Air Force Exchange Service, Navy Ship’s Stores
20 Ashore, Navy exchanges, Marine Corps exchanges,
21 Coast Guard exchanges, and other instrumentalities
22 of the United States under the jurisdiction of the
23 armed forces conducted for the comfort, pleasure,
24 contentment, and mental and physical improvement
25 of personnel of the armed forces.”.

1 **Subtitle C—Separation Provisions**

2 **SEC. 721. CONTINUED HEALTH INSURANCE COVERAGE.**

3 Section 8905a(d)(4) of title 5, United States Code,
4 is amended—

5 (1) in subparagraph (A)—

6 (A) by inserting “or voluntary separation”
7 after “involuntary separation or”;

8 (B) by inserting “surplus” prior to “posi-
9 tion”; and;

10 (C) by striking out “force—” and inserting
11 in lieu thereof “force or a realignment or instal-
12 lation closure under Base Realignment and Clo-
13 sure—”; and

14 (2) by adding at the end the following new sub-
15 paragraph:

16 “(C) For the purposes of this section, sur-
17 plus is defined as a position identified in pre-
18 reduction in force planning as no longer re-
19 quired and is expected to be eliminated under
20 formal reduction in force procedures.”.

21 **SEC. 722. LUMP SUM SEVERANCE PAYMENTS.**

22 (a) ELECTION TO RECEIVE LUMP SUM.—Subject to
23 agency discretion, an employee entitled to severance pay
24 pursuant to section 5595 of title 5, United States Code,
25 may, notwithstanding subsection (b) of that section, elect

1 to be paid total severance pay as determined under sub-
2 section (c) of that section in a lump sum upon separation.
3 If such an employee is reemployed by the Government of
4 the United States or the government of the District of
5 Columbia so that periodic payments would have been dis-
6 continued under subsection (d) of that section before the
7 end of the period during which severance pay would have
8 been otherwise paid, the employee shall refund an amount
9 equal to the amount of severance pay that would not have
10 been paid but for the employee's election under this sec-
11 tion. The period of time represented by any severance pay
12 refunded under this section shall be reccredited to the em-
13 ployee for use in any later computation of severance pay.
14 Refunded amounts may be credited to the current appro-
15 priation available for the payment of salaries by the agen-
16 cy from which the employee was separated.

17 (b) APPLICATION.—This section shall apply with re-
18 spect to any employee involuntary separated on or after
19 the date of enactment and before October 1, 1999.

20 **SEC. 723. CIVILIAN VOLUNTARY RELEASE PROGRAM.**

21 Section 3502 of title 5, United States Code, is
22 amended by inserting after subsection (e) the following
23 new subsection:

24 “(f) Notwithstanding the provisions of paragraphs
25 (a) to (e) above, the Office of Personnel Management shall

1 also prescribe regulations to permit Department of De-
 2 fense employees, who are not scheduled for separation by
 3 reduction in force (RIF), to volunteer for RIF separation
 4 in place of other employees who are scheduled for RIF
 5 separation, until September 30, 1996.”.

6 **TITLE VIII—HEALTH CARE**
 7 **PROVISIONS**
 8 **Subtitle A—Health Care**
 9 **Management**

10 **SEC. 801. CODIFICATION AND STRENGTHENING OF**
 11 **CHAMPUS PHYSICIAN PAYMENT REFORM**
 12 **PROGRAM.**

13 Section 1079(h) of title 10, United States Code, is
 14 amended to read as follows:

15 “(h)(1) Subject to paragraph (2), payment for a
 16 charge for services by an individual health care profes-
 17 sional (or other non institutional health-care provider) for
 18 which a claim is submitted under a plan contracted for
 19 under subsection (a) shall be limited to the lesser of—

20 “(A) the amount equivalent to the 80th per-
 21 centile of billed charges, as determined by the Sec-
 22 retary of Defense, in consultation with the other ad-
 23 ministering Secretaries, for similar services in the
 24 same locality during a twelve month base period,

1 which base period may be adjusted as frequently as
2 the Secretary considers appropriate; or

3 “(B) the amount determined to the extent prac-
4 ticable in accordance with the same reimbursement
5 rules as apply to payments for medical and other
6 health services under title XVIII of the Social Secu-
7 rity Act (42 U.S.C. 1395 et seq.).

8 “(2) The amount to be paid to an individual health-
9 care professional (or other non-institutional health-care
10 provider) shall be determined under regulations to be pre-
11 scribed by the Secretary of Defense in consultation with
12 the other administering Secretaries pursuant to paragraph
13 (1). Such regulations—

14 “(A) may provide for such exceptions as the
15 Secretary determines necessary to assure that cov-
16 ered beneficiaries have adequate access to health
17 care services, including payment of amounts greater
18 than the allowable amounts when enrollees in man-
19 aged care programs obtain covered emergency serv-
20 ices from non-participating providers;

21 “(B) shall establish limitations (similar to those
22 established under title XVIII of the Social Security
23 Act (42 U.S.C. 1395 et seq.)) on beneficiary liability
24 for charges of an individual health-care professional
25 (or other non-institutional health care provider); and

1 “(C) shall assure that in transitioning from the
2 payment methods previously in effect to any meth-
3 odology authorized by this subsection, in no case
4 may the amount allowable for any service be reduced
5 by more than fifteen percent from the amount al-
6 lowed for the same service in the immediately pre-
7 ceding twelve-month period (or other duration as es-
8 tablished by the Secretary of Defense).”.

9 **SEC. 802. REPEAL OF CERTAIN LIMITATIONS ON REDUC-**
10 **TIONS OF MEDICAL PERSONNEL.**

11 (a) LIMITATION ON REDUCTIONS IN MEDICAL PER-
12 SONNEL.—Section 711 of the National Defense Authoriza-
13 tion Act for Fiscal Year 1991 (10 U.S.C. 115 note) is
14 repealed.

15 (b) MINIMUM NUMBER OF NAVY HEALTH PROFES-
16 SIONS OFFICERS.—Section 718 of the National Defense
17 Authorization Act for Fiscal Years 1992 and 1993 (10
18 U.S.C. 115 note) is amended by striking out subsection
19 (b).

20 (c) LIMITATION ON REDUCTION IN NUMBER OF RE-
21 SERVE COMPONENT MEDICAL PERSONNEL.—Section 518
22 of the National Defense Authorization Act for Fiscal Year
23 1993 (10 U.S.C. 261 note) is repealed.

1 **Subtitle B—Other Matters**

2 **SEC. 811. RECOGNITION BY STATES OF MILITARY ADVANCE**

3 **MEDICAL DIRECTIVES.**

4 (a) IN GENERAL.—Chapter 53 of title 10, United
5 States Code, is amended by inserting after section 1044b
6 the following new section:

7 **“§ 1044c. Military advance medical directives: re-**
8 **quirement for recognition by States**

9 “(a) INSTRUMENTS TO BE GIVEN LEGAL EFFECT
10 WITHOUT REGARD TO STATE LAW.—A military advance
11 medical directive—

12 “(1) is exempt from any requirement of form,
13 substance, formality, or recording that is provided
14 for advance medical directives under the laws of a
15 State; and

16 “(2) shall be given the same legal effect as an
17 advance medical directive prepared and executed in
18 accordance with the laws of the State concerned.

19 “(b) MILITARY ADVANCE MEDICAL DIRECTIVES.—
20 For the purposes of this section, a military advance medi-
21 cal directive is any written declaration regarding future
22 medical treatment executed by a person eligible for legal
23 assistance under section 1044 of this title or regulations
24 of the Department of Defense, or the Department in which
25 the Coast Guard is operating—

1 “(1) to provide, withdraw, or withhold life-pro-
 2 longing procedures, including hydration and suste-
 3 nance, in the event of a terminal condition or per-
 4 sistent vegetative state; or

5 “(2) to appoint another person to make health
 6 care decisions for the declarant under circumstances
 7 stated in the declaration if the declarant is deter-
 8 mined to be incapable of making informed health
 9 care decisions.

10 “(c) STATEMENT TO BE INCLUDED.—Under regula-
 11 tions prescribed by the Secretary concerned, each military
 12 advance medical directive shall contain a statement that
 13 clearly indicates such directive’s purpose. The failure to
 14 include such a statement does not negate such directive’s
 15 legal effect.

16 “(d) STATE DEFINED.—In this section, the term
 17 ‘State’ includes the District of Columbia, the Common-
 18 wealth of Puerto Rico, and a possession of the United
 19 States.”.

20 (b) CLERICAL AMENDMENT.—The table of sections
 21 at the beginning of chapter 53 of title 10, United States
 22 Code, is amended by inserting after the item relating to
 23 section 1044b the following new item:

 “1044c. Military advance medical directives: requirement for recognition by
 States.”.

1 (c) EFFECTIVE DATE.—The amendment made by
2 this section shall apply to any military advance medical
3 directive declared prior to the enactment of this Act and
4 such directives declared after enactment.

5 **SEC. 812. CLOSURE OF THE UNIFORM SERVICES UNIVER-**
6 **SITY OF THE HEALTH SCIENCES.**

7 (a) REPEAL OF AUTHORITY.—Chapter 104 of title
8 10, United States Code, is hereby repealed.

9 (b) PHASE-OUT PROCESS.—(1) Notwithstanding any
10 other provision of law, the Secretary of Defense shall
11 phase out the Uniformed Services University of the Health
12 Sciences, beginning in fiscal year 1996, and ending with
13 the closure of such University not later than September
14 30, 1999. No provision of section 2687 of title 10, United
15 States Code, or of any other law establishing preconditions
16 to the closure of any activity of the Department of Defense
17 shall operate to establish any precondition to the phaseout
18 and closure of the Uniformed Services University of the
19 Health Sciences pursuant to this Act.

20 (2) Under the phase-out process required by para-
21 graph (1), the Secretary of Defense is authorized to exer-
22 cise all of the authorities pertaining to the operation of
23 the Uniformed Services University of the Health Sciences
24 that were granted to the Secretary of Defense, the Board
25 of Regents, or the Dean of the Uniformed Services Univer-

1 sity of the Health Sciences by Chapter 104 of title 10,
2 United States Code, prior to enactment of the repeal of
3 that chapter by subsection (a). Such authorities may be
4 exercised by the Secretary of Defense so as to achieve an
5 orderly phase-out of operations of the Uniformed Services
6 University of the Health Sciences.

7 (3) No new class of students may be admitted to
8 begin studies in the Uniformed Services University of the
9 Health Sciences after September 30, 1995. No students
10 may be awarded degrees by such University after Septem-
11 ber 30, 1999, except that the Secretary of Defense may
12 grant exceptions on a case-by-case basis for any students
13 who by that date have completed substantially all degree
14 requirements.

15 (c) AUTHORITIES UNAFFECTED.—(1) Commissioned
16 service obligations incurred by students of the Uniformed
17 Services University of the Health Sciences shall be unaf-
18 fected by enactment of the repeal of chapter 104 of title
19 10, United States Code, by subsection (a).

20 (2) Nothing in this Act shall be construed as limiting
21 the exercise by the Secretary of Defense of other authori-
22 ties under law pertaining to health sciences education,
23 training and professional development, graduate medical
24 education, medical and scientific research, and similar ac-
25 tivities. To the extent any such activities had been as-

1 signed by the Secretary of Defense to the Uniformed Serv-
2 ices University of the Health Sciences, the Secretary of
3 Defense’s authority to assign such activities to any other
4 component or entity of the Department of Defense shall
5 be unaffected by the phase-out and closure of the Uni-
6 formed Services University of the Health Sciences pursu-
7 ant to this Act.

8 (d) CONFORMING AMENDMENTS.—(1) Section 178 of
9 title 10, United States Code, pertaining to the Henry M.
10 Jackson Foundation for the Advancement of Military
11 Medicine, is amended—

12 (A) in subsection (b), by striking out “Uni-
13 formed Services University of the Health Sciences”
14 and inserting in lieu thereof “Department of De-
15 fense”;

16 (B) in subsection (c)(1)(B), by striking out
17 “the Dean of the Uniformed Services University of
18 the Health Sciences” and inserting in lieu thereof “a
19 person designated by the Secretary of Defense”; and

20 (C) in subsection (g)(1), by striking out “Uni-
21 formed Services University of the Health Sciences”
22 and inserting in lieu thereof “Secretary of Defense”.

23 (2) Section 466 of the Public Health Service Act (42
24 U.S.C. § 286a), pertaining to the Board of Regents of the
25 National Library of Medicine, is amended in subsection

1 (a)(1)(B) by striking out “the Dean of the Uniformed
2 Services University of the Health Sciences”.

3 (e) CLERICAL AMENDMENT.—The table of chapters
4 at the beginning of Subtitle A and at the beginning of
5 part III of such subtitle of title 10, United States Code,
6 is amended by striking out the items relating to chapter
7 104.

8 **SEC. 813. REPEAL OF THE STATUTORY RESTRICTION ON**
9 **USE OF FUNDS FOR ABORTIONS.**

10 (a) IN GENERAL.—Section 1093 of title 10, United
11 States Code, is repealed.

12 (b) CLERICAL AMENDMENT.—The table of sections
13 at the beginning of Chapter 55, United States Code, is
14 amended by striking out the item relating to section 1093.

15 (c) EFFECTIVE DATE.—The amendment made by
16 this section shall be effective October 1, 1995.

17 **TITLE IX—DEPARTMENT OF DE-**
18 **FENSE ORGANIZATION AND**
19 **MANAGEMENT**
20 **Subtitle A—Secretarial Matters**

21 **SEC. 901. ADDITIONAL ASSISTANT SECRETARY OF DE-**
22 **FENSE.**

23 (a) ESTABLISHMENT OF POSITION.—Section 138(a)
24 of title 10, United States Code, is amended by striking
25 out “eleven” and inserting in lieu thereof “twelve”.

1 (b) EXECUTIVE LEVEL IV.—Section 5315 of title 5,
 2 United States Code, is amended by striking out “Assistant
 3 Secretaries of Defense (11).” and inserting in lieu thereof
 4 the following new line: “Assistant Secretaries of Defense
 5 (12).”.

6 **SEC. 902. CHANGE IN NAME OF ASSISTANT TO THE SEC-**
 7 **RETARY OF DEFENSE FOR ATOMIC ENERGY**
 8 **TO ASSISTANT TO THE SECRETARY OF DE-**
 9 **FENSE FOR NUCLEAR AND CHEMICAL PRO-**
 10 **GRAMS.**

11 (a) IN GENERAL.—Section 142 of title 10, United
 12 States Code, is amended—

13 (1) by amending the heading to read as follows:

14 **“§ 142. Assistant to the Secretary of Defense for Nu-**
 15 **clear and Chemical Programs”;**

16 (2) in subsection (a), by striking out “Assistant
 17 to the Secretary of Defense for Atomic Energy” and
 18 inserting in lieu thereof “Assistant to the Secretary
 19 of Defense for Nuclear and Chemical Programs”;

20 (3) by amending subsection (b) to read as fol-
 21 lows:

22 “(b) the Assistant to the Secretary shall perform such
 23 functions as the Secretary of Defense may prescribe and
 24 shall advise the Secretary of Defense on nuclear energy,
 25 nuclear weapons, and chemical and biological defense pro-

1 gram matters. The Assistant to the Secretary also shall
2 serve as the Staff Director of the Nuclear Weapons Coun-
3 cil established by section 179 of this title.”.

4 (b) CLERICAL AMENDMENT.—The table of sections
5 at the beginning of chapter 4 of title 10, United States
6 Code, is amended by amending the item relating to section
7 142 to read as follows:

“142. The Assistant to the Secretary of Defense for Nuclear and Chemical Pro-
grams.”.

8 (c) CONFORMING AMENDMENTS.—(1) Section
9 179(c)(2) of title 10, United States Code, is amended by
10 striking out “The Assistant to the Secretary of Defense
11 for Atomic Energy” and inserting in lieu thereof “The As-
12 sistant to the Secretary of Defense for Nuclear and Chem-
13 ical Programs.”.

14 (2) Section 5216 of title 5, United States Code, is
15 amended by striking out “The Assistant to the Secretary
16 of Defense for Atomic Energy, Department of Defense.”
17 and inserting in lieu thereof “The Assistant to the Sec-
18 retary of Defense for Nuclear and Chemical Programs,
19 Department of Defense.”.

1 **Subtitle B—Professional Military**
2 **Education**

3 **SEC. 911. EXCLUSION OF INFORMATION RESOURCES MAN-**
4 **AGEMENT COLLEGE IN THE NATIONAL DE-**
5 **FENSE UNIVERSITY.**

6 (a) TECHNICAL AMENDMENT AND ADDITION OF IN-
7 FORMATION RESOURCES MANAGEMENT COLLEGE TO THE
8 DEFINITION OF THE NATIONAL DEFENSE UNIVERSITY.—
9 Section 1595(d)(2) of title 10, United States Code, is
10 amended by striking out “the Institute for National Stra-
11 tegic Study” and inserting in lieu thereof “the Institute
12 for National Strategic Studies, the Information Resources
13 Management College,”.

14 (b) CONFORMING AMENDMENT.—Section 2162(d)(2)
15 of title 10, United States Code, is amended by inserting
16 “the Institute for National Strategic Studies, the Informa-
17 tion Resources Management College,” after “the Armed
18 Forces Staff College,”.

19 **SEC. 912. EMPLOYMENT OF CIVILIANS AT THE ASIA-PA-**
20 **CIFIC CENTER FOR SECURITY STUDIES.**

21 Section 1595 of title 10, United States Code, is
22 amended—

23 (1) in subsection (c), by inserting at the end
24 the following new paragraph:

1 “(4) The Asia-Pacific Center for Security Stud-
2 ies.”; and

3 (2) by adding at the end the following new sub-
4 section:

5 “(f) APPLICATION TO DIRECTOR AND DEPUTY DI-
6 RECTOR AT ASIA-PACIFIC CENTER FOR SECURITY STUD-
7 IES.—In the case of the Asia-Pacific Center for Security
8 Studies, this section also applies with respect to the Direc-
9 tor and the Deputy Director.”.

10 **Subtitle C—Other Matters**

11 **SEC. 921. REDUCTION OF REPORTING REQUIREMENTS.**

12 (a) CLOSURE OF MILITARY CHILD DEVELOPMENT
13 CENTERS FOR UNCORRECTED INSPECTION VIOLA-
14 TIONS.—Section 1505 of the Military Child Care Act of
15 1989 (Title XV of the National Defense Authorization Act
16 for Fiscal Years 1990 and 1991; 10 U.S.C. 113 note) is
17 amended by striking out subsection (f)(3).

18 (b) ENERGY SAVINGS AT MILITARY INSTALLA-
19 TIONS.—Section 2865(e) of title 10, United States Code,
20 is amended by striking out “(1)” and paragraph (2).

21 (c) MILITARY RELOCATION ASSISTANCE PRO-
22 GRAMS.—Section 1056 of title 10, United States Code, is
23 amended—

24 (1) by striking subsection (f); and

1 (2) by redesignating subsection (g) as sub-
2 section (f).

3 (d) LIMITATION ON SOURCE OF FUNDS FOR NICA-
4 RAGUAN DEMOCRATIC RESISTANCE.—Section 1351 of
5 National Defense Authorization Act for Fiscal Year 1987
6 (10 U.S.C. 114 note) is repealed.

7 (e) LIMITATION ON REDUCTIONS IN MEDICAL PER-
8 SONNEL.—Section 711 of the National Defense Authoriza-
9 tion Act for Fiscal Year 1991 (10 U.S.C. 115 note) is
10 repealed.

11 (f) FOREIGN NATIONAL EMPLOYEES SALARY IN-
12 CREASES.—Section 1584 of title 10, United States Code,
13 is amended by striking out “(a) WAIVER OF EMPLOYMENT
14 RESTRICTIONS FOR CERTAIN PERSONNEL.—” and sub-
15 section (b).

16 (g) CIVILIAN POSITIONS: GUIDELINES FOR REDUC-
17 TIONS.—Section 1597 of title 10, United States Code, is
18 amended—

19 (1) by striking out subsections (c) and (e);

20 (2) by amending subsection (d) to read as fol-
21 lows:

22 “(d) EXCEPTIONS.—The Secretary of Defense may
23 permit a variation from the guidelines established under
24 subsection (b) if the Secretary determines that such a var-
25 iation is critical to national security.”; and

1 (3) by redesignating subsection (d) as sub-
2 section (c).

3 (h) INDUSTRIAL FUND MANAGEMENT REPORTS.—
4 Section 342 of the National Defense Authorization Act for
5 Fiscal Year 1993 (10 U.S.C. 2208 note) is amended by
6 striking out subsection (c).

7 (i) ELIMINATION OF USE OF CLASS I OZONE-
8 DEPLETING SUBSTANCES IN CERTAIN MILITARY PRO-
9 CUREMENT CONTRACTS.—Section 326(a) of the National
10 Defense Authorization Act for Fiscal Year 1993 (10
11 U.S.C. 2301 note) is amended by striking out paragraphs
12 (4) and (5).

13 (j) KINDS OF CONTRACTS: MULTIYEAR CONTRACT
14 CERTIFICATION.—Section 2306b(i)(1) of title 10, United
15 States Code, is amended—

16 (1) in the first sentence, by striking out “each
17 of the following conditions” and inserting in lieu
18 thereof “the following condition”;

19 (2) by striking out subparagraph (A); and

20 (3) by striking out “(B)”.

21 (k) NOTICE TO CONGRESS REQUIRED FOR CON-
22 TRACTS PERFORMED OVER PERIOD EXCEEDING TEN
23 YEARS.—Section 2352 of title 10, United States Code, is
24 repealed.

1 (l) MAJOR DEFENSE ACQUISITION PROGRAM DE-
2 FINED.—Section 2430(b) of title 10, United States Code,
3 is amended by striking out the following sentence: “An
4 adjustment under this subsection shall be effective after
5 the Secretary transmits a written notification of the ad-
6 justment to the Committees on Armed Services of the Sen-
7 ate and House of Representatives.”.

8 (m) WEAPONS DEVELOPMENT AND PROCUREMENT
9 SCHEDULES.—Section 2431 of title 10, United States
10 Code, is repealed.

11 (n) SELECTED ACQUISITION REPORTS FOR CERTAIN
12 PROGRAMS.—Section 127 of the National Defense Au-
13 thorization Act for Fiscal Years 1988 and 1989 (10
14 U.S.C. 2432 note) is repealed.

15 (o) CORE LOGISTICS FUNCTIONS WAIVER.—Section
16 2464(b) of title 10, United States Code, is amended by
17 striking out paragraphs (3) and (4).

18 (p) IMPROVED NATIONAL DEFENSE CONTROL OF
19 TECHNOLOGY DIVERSIONS OVERSEAS.—Section 2537 of
20 title 10, United States Code, is amended—

21 (1) by striking out subsection (b); and

22 (2) by redesignating subsections (c) and (d) as
23 subsections (b) and (c) respectively.

1 (q) REAL PROPERTY TRANSACTIONS: REPORTS TO
2 CONGRESSIONAL COMMITTEES.—Section 2662 of title 10,
3 United States Code, is repealed.

4 (r) ACQUISITION: INTERESTS IN LAND WHEN NEED
5 IS URGENT.—Section 2672a(b) of title 10, United States
6 Code, is amended by striking out the following sentence:
7 “The Secretary of a military department contemplating
8 action under this section shall provide notice, in writing,
9 to the Committees on Armed Services of the Senate and
10 House of Representatives at least 30 days in advance of
11 any action being taken.”.

12 (s) OPERATIONS OF DEPARTMENT OF DEFENSE
13 OVERSEAS MILITARY FACILITY INVESTMENTS RECOVERY
14 ACCOUNT.—Section 2921 of the National Defense Au-
15 thorization Act for Fiscal Year 1991 (10 U.S.C. 2687
16 note) is amended by striking out subsection (f).

17 (t) ENVIRONMENTAL RESTORATION REQUIREMENTS
18 AT MILITARY INSTALLATIONS TO BE CLOSED.—Section
19 334(c) of the National Defense Authorization Act for Fis-
20 cal Years 1992 and 1993 (10 U.S.C. 2687 note) is
21 amended—

22 (1) by striking out paragraph (2); and

23 (2) by redesignating paragraph (3) as para-
24 graph (2).

1 (u) ENVIRONMENTAL RESTORATION COSTS FOR IN-
2 STALLATION TO BE CLOSED UNDER 1990 BASE CLO-
3 SURE LAW.—Section 2827 of the National Defense Au-
4 thorization Act for Fiscal Years 1992 and 1993 (10
5 U.S.C. 2687 note) is amended by striking out subsection
6 (b).

7 (v) FUEL SOURCES FOR HEATING SYSTEMS; PROHI-
8 BITION ON CONVERTING CERTAIN HEATING FACILI-
9 TIES.—Section 2690(b) of title 10, United States Code,
10 is amended to read as follows:

11 “(b) The Secretary of a military department may not
12 convert a heating facility at a United States military in-
13 stallation in Europe from a coal-fired facility to an oil-
14 fired facility, or to any other energy source facility, unless
15 the Secretary determines that the conversion (A) is re-
16 quired by the government of the country in which the facil-
17 ity is located, or (B) is cost effective over the lifecycle of
18 the facility.”.

19 (w) ARCHITECTURAL AND ENGINEERING SERVICES
20 AND CONSTRUCTION DESIGN.—Section 2807 of title 10,
21 United States Code, is amended—

22 (1) by striking out subsection (b); and

23 (2) by redesignating subsections (c) and (d) as
24 subsections (b) and (c) respectively.

1 (x) CONSTRUCTION PROJECTS FOR ENVIRONMENTAL
2 RESPONSE ACTIONS.—Section 2810 of title 10, United
3 States Code, is amended—

4 (1) in subsection (a), by striking out “Subject
5 to subsection (b), the” and inserting in lieu thereof
6 “The”;

7 (2) by striking out subsection (b); and

8 (3) by redesignating subsection (c) as sub-
9 section (b).

10 (y) IMPROVEMENTS TO FAMILY HOUSING UNITS.—

11 (1) Section 2825(b)(1) of title 10, United States Code,
12 is amended—

13 (A) by striking out “(i)”;

14 (B) by striking out “(ii) a period of 21 days
15 elapses after the date on which the Committees on
16 Armed Services and the Committees on Appropria-
17 tions of the Senate and of the House of Representa-
18 tives receive a notice from such Secretary of the pro-
19 posed waiver, together with an economic analysis
20 demonstrating that the improvement will be cost ef-
21 fective.” and inserting in lieu thereof a period.

22 (2) Section 2825(c)(1) of title 10, United States
23 Code, is amended—

24 (A) in subparagraph (A), by inserting “and”
25 after the semicolon;

1 (B) in subparagraph (B), by striking out the
2 semicolon and inserting in lieu thereof a period; and

3 (C) by striking out subparagraphs (C) and (D).

4 (z) RELOCATION OF MILITARY FAMILY HOUSING
5 UNITS.—Section 2827 of title 10, United States Code, is
6 amended by striking out “(a)” and subsection (b).

7 (aa) ANNUAL REPORT TO CONGRESS WITH RESPECT
8 TO MILITARY CONSTRUCTION ACTIVITIES AND MILITARY
9 FAMILY HOUSING ACTIVITIES.—Section 2861 of title 10,
10 United States Code, is repealed.

11 (bb) ENERGY SAVINGS AT MILITARY INSTALLA-
12 TIONS.—Section 2865 of title 10, United States Code, is
13 amended by striking out subsection (f).

14 (cc) REPORTS ON PRICE AND AVAILABILITY ESTI-
15 MATES.—Section 28 of the Arms Export Control Act (22
16 U.S.C. 2768) is repealed.

17 (dd) ANNUAL REPORT ON THE STATUS OF THE EX-
18 ERCISE OF THE RIGHTS AND RESPONSIBILITIES OF THE
19 UNITED STATES UNDER THE PANAMA CANAL TREATY
20 OF 1977.—Section 3301 of the Panama Canal Act of
21 1979 (22 U.S.C. 3871) is repealed.

22 (ee) MONITORING AND RESEARCH OF ECOLOGICAL
23 EFFECTS OF ORGANOTIN ANTIFOULING PAINT.—Section
24 7 of the Organotin Antifouling Paint Control Act of 1988
25 (33 U.S.C. 2406) is amended by striking subsection (d).

1 (ff) MINORITY GROUP PARTICIPATION IN CON-
 2 STRUCTION OF TENNESSEE-TOMBIGBEE WATERWAY
 3 PROJECT.—Section 185 of the Water Resources Develop-
 4 ment Act of 1976 (33 U.S.C. 544c) is repealed.

5 (gg) PRESIDENTIAL RECOMMENDATIONS CONCERN-
 6 ING ADJUSTMENTS AND CHANGES IN PAY AND ALLOW-
 7 ANCES.—Section 1008 of title 37, United States Code, is
 8 amended by striking subsection (a) and “(b)”.

9 (hh) ADJUSTMENTS OF COMPENSATION.—Section
 10 1009(f) of title 37, United States Code, is amended to
 11 read as follows:

12 “(f) The allocations of increases made under this sec-
 13 tion shall be assessed in conjunction with the quadrennial
 14 review of military compensation required by section 1008
 15 of this title.”.

16 (ii) TRAVEL AND TRANSPORTATION ALLOWANCES:
 17 DEPENDENTS; BAGGAGE AND HOUSEHOLD EFFECTS.—
 18 Section 406 of title 37, United States Code, is amended—

19 (1) by striking out subsection (i); and

20 (2) by redesignating subsections (j), (k), (l),
 21 and (m) as subsections (i), (j), (k), and (l) respec-
 22 tively.

23 (jj) HEALTH-CARE SHARING AGREEMENTS BE-
 24 TWEEN DEPARTMENT OF VETERANS AFFAIRS AND DE-

1 PARTMENT OF DEFENSE.—Section 8111 of title 38,
2 United States Code, is amended—

3 (1) by striking out subsection (f); and

4 (2) by redesignating subsection (g) as sub-
5 section (f).

6 (kk) WATER RESOURCES PROJECTS.—Section
7 221(e) of the Flood Control Act of 1970 (42 U.S.C.
8 1962d–5b(e)) is amended by striking out “, and shall re-
9 port thereon annually to the Congress,” and inserting in
10 lieu thereof a period.

11 (ll) PUBLIC HEALTH SERVICE HOSPITALS.—Section
12 1252 of the Department of Defense Authorization Act,
13 1984 (42 U.S.C. 248d) is amended by striking out sub-
14 section (d).

15 (mm) REVIEW OF CONTRACTS.—Section 3(b) of the
16 Act of August 28, 1958 (50 U.S.C. 1433(b)) is amended
17 by striking out the following sentence: “If the clause is
18 omitted based on a determination under clause (2), a writ-
19 ten report shall be furnished to the Congress.”.

20 (nn) SPECIAL DEFENSE ACQUISITION FUND (SDAF)
21 ANNUAL REPORT.—Section 53 of the Arms Export Con-
22 trol Act (22 U.S.C. 2795b) is repealed.

23 (oo) ANNUAL DEPARTMENT OF DEFENSE CONVEN-
24 TIONAL STANDOFF WEAPONS MASTER PLAN AND RE-
25 PORT ON STANDOFF MUNITIONS.—Section 1641 of the

1 National Defense Authorization Act for Fiscal Years 1990
2 and 1991 (Public Law 101–189; 10 U.S.C. 2431, note)
3 is repealed.

4 **SEC. 922. REPEAL OF PROHIBITION OF CONTRACTING FOR**
5 **FIREFIGHTING AND SECURITY GUARD FUNC-**
6 **TIONS AT MILITARY FACILITIES.**

7 Section 2465 of title 10, United States Code, is re-
8 pealed.

9 **SEC. 923. INCREASE IN UNSPECIFIED MINOR CONSTRUC-**
10 **TION THRESHOLD FROM \$1.5 MILLION TO \$3.0**
11 **MILLION AND THE OPERATION AND MAINTEN-**
12 **NANCE THRESHOLD FROM \$300 THOUSAND**
13 **TO \$1 MILLION.**

14 Section 2805 of title 10, United States Code, is
15 amended—

16 (1) in paragraph (a)(1), by striking out
17 “\$1,500,000” and inserting in lieu thereof
18 “\$1,700,000”; and

19 (2) in paragraph (c)(1), by striking out
20 “\$300,000” and inserting in lieu thereof
21 “\$350,000”.

22 **SEC. 924. ANNUAL REPORT ON NATIONAL GUARD AND RE-**
23 **SERVE COMPONENT EQUIPMENT.**

24 (a) SUBMISSION DATE OF REPORT.—Section
25 115b(a) of title 10, United States Code, is amended by

1 striking out “February 15” and inserting in lieu thereof
2 “March 1”.

3 (b) DEFINITION OF EQUIPMENT IN THE REPORT.—
4 Section 115b(b) of title 10, United States Code, is amend-
5 ed—

6 (1) in paragraphs (1) through (6), by striking
7 out “major item of equipment” each place it appears
8 and inserting in lieu thereof in each instance “com-
9 bat essential item of equipment”;

10 (2) in paragraph (5)(E), by striking out “major
11 item of equipment,” and inserting in lieu thereof
12 “combat essential item of equipment,”; and

13 (3) in paragraph (7), by striking out “item of
14 major equipment” and inserting in lieu thereof
15 “combat essential item of equipment”.

16 (c) EFFECTIVE DATE.—The amendments to section
17 115b of title 10, United States Code, shall take effect on
18 October 1, 1995.

19 **SEC. 925. REVISION OF DATE FOR SUBMITTAL OF JOINT RE-**
20 **PORT ON SCORING OF BUDGET OUTLAYS.**

21 Section 226(a) of title 10, United States Code, is
22 amended—

23 (1) by striking out “Not later than December
24 15 of each year” and inserting in lieu thereof “Not
25 later than the day on which the budget for any fiscal

1 year is submitted to Congress pursuant to section
2 1105 of title 31”; and

3 (2) by striking out “major functional category
4 050” and all that follows through “section 1105 of
5 title 31” and inserting in lieu thereof “subfunctional
6 category 051 (Department of Defense—Military) for
7 that budget.”

8 **SEC. 926. REPEAL OF ANNUAL REPORT TO CONGRESS ON**
9 **CONTRACTOR REIMBURSEMENT COSTS OF**
10 **ENVIRONMENTAL RESPONSE ACTIONS.**

11 Section 2706 of title 10, United States Code, is
12 amended—

13 (1) by striking out subsection (c); and

14 (2) by redesignating subsection (d) as sub-
15 section (c).

16 **TITLE X—GENERAL PROVISIONS**
17 **Subtitle A—Financial Matters**

18 **SEC. 1001. APPOINTMENT AND LIABILITY OF DISBURSING**
19 **AND CERTIFYING OFFICIALS.**

20 (a) DISBURSING OFFICIALS.—(1) Section 3321(c)(2)
21 of title 31, United States Code, is amended to read as
22 follows:

23 “(2) the Department of Defense (including dis-
24 bursements for the military departments and De-

1 fense Agencies and Department of Defense Field Ac-
2 tivities).

3 “(3) the Coast Guard (when not operating as a
4 service within the Navy).”.

5 (2) Section 2773(a)(1) of title 10, United States
6 Code, is amended to read as follows:

7 “(a)(1) With the approval of the Secretary of Defense
8 when the Secretary of Defense or the Secretary of a mili-
9 tary department considers it necessary, a disbursing offi-
10 cial of the Department of Defense (including the military
11 departments, Defense Agencies and Department of De-
12 fense Field Activities) may designate a deputy disbursing
13 official—

14 “(A) to make payments as the agent of the dis-
15 bursing official;

16 “(B) to sign checks drawn on disbursing ac-
17 counts of the Secretary of the Treasury; and

18 “(C) to carry out other duties required under
19 law.”.

20 (3) Section 2773(b)(1) of title 10, United States
21 Code, is amended by striking out “any military depart-
22 ment” and inserting in lieu thereof “the Department of
23 Defense”.

24 (b) APPOINTMENT OF CERTIFYING OFFICIALS AND
25 RESPONSIBILITIES OF DISBURSING OFFICIALS.—Section

1 3325(b) of title 31, United States Code, is amended to
2 read as follows:

3 “(b) In addition to the personnel designated in sub-
4 section (a)(1)(B) of this section, the Secretary of Defense
5 and the Secretary of Transportation (with respect to the
6 Coast Guard when it is not operating as a service within
7 the Navy) may authorize, in writing, military personnel
8 under their respective jurisdictions to certify vouchers.”.

9 (c) RESPONSIBILITIES AND RELIEF FROM LIABILITY
10 OF CERTIFYING OFFICIALS.—Section 3528(d) of title 31,
11 United States Code, is amended to read as follows:

12 “(d)(1) Subsections (b) and (c) of this section do not
13 apply to disbursements of the Department of Defense (in-
14 cluding military departments, Defense Agencies and De-
15 partment of Defense Field Activities), or to disbursements
16 of the Coast Guard.

17 “(2)(A) The Secretary of Defense may relieve a cer-
18 tifying official who certifies disbursements of the Depart-
19 ment of Defense (including the military departments, De-
20 fense Agencies and Department of Defense Field Activi-
21 ties), and the Secretary of Transportation (with respect
22 to the Coast Guard when it is not operating as a service
23 within the Navy) may relieve a certifying official who cer-
24 tifies disbursements of the Coast Guard, from liability
25 when the Secretary concerned determines that—

1 “(i) the certification was based on official
2 records and the official did not know, and by reason-
3 able diligence and inquiry could not have discovered,
4 the correct information; or

5 “(ii)(I) the obligation was incurred in good
6 faith;

7 “(II) no law specifically prohibited the payment;
8 and

9 “(III) the United States Government received
10 value for payment.

11 “(B) Before the Secretary concerned may grant relief
12 under this paragraph, he must carry out diligent collection
13 action.

14 “(3) The Secretary of Defense shall relieve a certify-
15 ing official who certifies disbursements of the Department
16 of Defense (including the military departments, Defense
17 Agencies and Department of Defense Field Activities) and
18 the Secretary of Transportation (with respect to the Coast
19 Guard when it is not operating as a service within the
20 Navy) shall relieve a certifying official who certifies dis-
21 bursements of the Coast Guard, for an overpayment—

22 “(A) to a common carrier under section 3726
23 of this title when the Secretary concerned decides
24 the overpayment occurred only because the adminis-
25 trative audit before payment did not verify transpor-

1 tation rates, freight classifications, or land-grant de-
2 ductions; or

3 “(B) that was provided under a Government
4 bill of lading or transportation request when such
5 overpayment was the result of the use of improper
6 transportation rates or classifications or the failure
7 to deduct a proper amount under a land-grant law
8 or agreement.”.

9 (d) RELIEF OF ACCOUNTABLE OFFICIALS AND
10 AGENTS FROM LIABILITY.—Section 3527(b) of title 31,
11 United States Code, is amended to read as follows:

12 “(b)(1) The Secretary of Defense may relieve a
13 present or former accountable official or agent of the De-
14 partment of Defense (including the military departments,
15 Defense Agencies and Department of Defense Field Ac-
16 tivities) and the Secretary of Transportation (with respect
17 to the Coast Guard when it is not operating as a service
18 within the Navy) may relieve a present or former account-
19 able official or agent of the Coast Guard, responsible for
20 the physical loss or deficiency of public money, vouchers,
21 checks, securities, or records, or may authorize reimburse-
22 ment, from an appropriation or fund available for reim-
23 bursement, of the amount of the loss or deficiency paid
24 by or for the official as restitution, when—

1 “(A) the Secretary concerned decides that the
2 official was carrying out official duties when the loss
3 or deficiency occurred;

4 “(B) the loss or deficiency was not the result of
5 an illegal, improper, or incorrect payment; and

6 “(C) the loss or deficiency was not the result of
7 fault or negligence by the official.

8 “(2)(A) The Secretary of Defense may relieve a
9 present or former disbursing official of the Department
10 of Defense (including the military departments, Defense
11 Agencies and Department of Defense Field Activities) and
12 the Secretary of Transportation (with respect to the Coast
13 Guard when it is not operating as a service within the
14 Navy) may relieve a present or former disbursing official
15 of the Coast Guard, responsible for a deficiency in an ac-
16 count because of an illegal, improper, or incorrect payment
17 when the Secretary concerned determines that the pay-
18 ment was not a result of bad faith or lack of reasonable
19 care by the official. Before the Secretary concerned may
20 grant relief under this paragraph, he must carry out dili-
21 gent collection action.

22 “(B) The Comptroller General shall credit the ac-
23 count previously debited for the deficiency when the Sec-
24 retary concerned grants relief. The amount of the relief
25 shall be charged—

1 “(i) to an appropriation specifically provided for
2 the charge; or

3 “(ii) if no appropriation is specified, to the ap-
4 propriation or fund available for the expense of the
5 accountable function when the adjustment is carried
6 out.

7 “(C) This paragraph does not—

8 “(i) affect the liability, or authorize the relief,
9 of a payee, beneficiary, or recipient of an illegal, im-
10 proper, or incorrect payment; or

11 “(ii) relieve an accountable official,
12 the Secretary of Defense,
13 the Secretary of Transportation,
14 or the head of a military department, De-
15 fense Agency, Department of Defense Field Ac-
16 tivity, or the Coast Guard
17 of responsibility in carrying out collection action
18 against a payee, beneficiary, or recipient.”.

19 (e) SPECIAL PROVISIONS.—(1) Section 1012 of title
20 37, United States Code, is amended by striking out “Sec-
21 retary concerned” both places the term appears and in-
22 serting in lieu thereof “Secretary of Defense” in each in-
23 stance.

24 (2) Section 1007(a) of title 37, United States Code,
25 is amended by striking out “Secretary concerned” and in-

1 serting in lieu thereof “Secretary of Defense (or the Sec-
 2 retary of Transportation with respect to an officer of the
 3 Coast Guard when it is not operating as a service in the
 4 Navy), or upon the denial of relief for an officer pursuant
 5 to section 3527 or 3528 of title 31”.

6 (3) Section 7863 of title 10, United States Code, is
 7 amended—

8 (A) in the first sentence by striking out “dis-
 9 bursements of public moneys or” and “the money
 10 was paid or”; and

11 (B) in the second sentence by striking out “dis-
 12 bursement or”.

13 **SEC. 1002. DUE PROCESS EXEMPTIONS FOR MINOR AD-**
 14 **JUSTMENTS IN INDEBTEDNESS ACTIONS.**

15 Section 5514(a) of title 5, United States Code, is
 16 amended—

17 (1) by redesignating paragraphs (3) and (4) as
 18 paragraphs (4) and (5) respectively; and

19 (2) by inserting after paragraph (2) the follow-
 20 ing new paragraph:

21 “(3) The provisions of paragraph (2) of this
 22 subsection do not apply to routine adjustments of
 23 pay that are attributable to clerical or administrative
 24 errors or delays in processing pay documents that
 25 have occurred within the four pay periods preceding

1 the adjustment or to any adjustment that amounts
 2 to fifty dollars or less, provided that at the time of
 3 such adjustment, or as soon thereafter as practical,
 4 the individual is provided written notice of the na-
 5 ture and the amount of the adjustment and a point
 6 of contact for questioning or contesting such adjust-
 7 ment.”.

8 **SEC. 1003. AMENDMENTS TO CHAPTER 131, TITLE 10,**
 9 **UNITED STATES CODE, AND TO THE NA-**
 10 **TIONAL DEFENSE AUTHORIZATION ACT FOR**
 11 **FISCAL YEAR 1991.**

12 (a)(1) Chapter 131 of title 10, United States Code,
 13 is amended by adding at the end the following new sec-
 14 tions:

15 **“§ 2219. Authority to incur readiness obligations**

16 “(a) AUTHORITY.—When the Secretary of Defense
 17 determines that it is necessary to do so, the Secretary may
 18 incur necessary obligations to preserve the readiness of the
 19 Armed Forces in excess of contract authority and amounts
 20 available in appropriations of the Department of Defense.
 21 This authority may be exercised only—

22 “(1) to the extent provided in an appropriations
 23 Act;

24 “(2) during the last two quarters of a fiscal
 25 year; and

1 “(3) with the approval of the Office of Manage-
2 ment and Budget.

3 “(b) LIMITATIONS.—(1) The authority provided by
4 subsection (a) may be exercised only for obligations for—

5 “(A) essential readiness functions and activities
6 of the Armed Forces, including activities associated
7 with mission critical proficiency training, scheduled
8 unit exercises;

9 “(B) the acquisition of spare parts that are
10 critical to the missions of the Armed Forces; and

11 “(C) such other activities that the Secretary of
12 Defense determines cannot be postponed without a
13 major impact on the readiness of the Armed Forces.

14 “(2) In any fiscal year in which obligations are in-
15 curred under the authority of this section the total of such
16 obligations shall not be more than 50% of the total
17 amount appropriated to the Department of Defense for
18 Operation and Maintenance, Budget Activity 1 for such
19 fiscal year.

20 “(c) BUDGET PROPOSALS TO LIQUIDATE OBLIGA-
21 TIONS.—Any proposal transmitted by the President to the
22 Congress to liquidate costs incurred under the provisions
23 of this section shall be accompanied by offsetting rescis-
24 sion proposals, unless the President determines that emer-
25 gency conditions exists which preclude such rescissions.

1 “(d) NOTIFICATION TO CONGRESS.—The Secretary
2 of Defense shall immediately notify the Congress of the
3 use of any authority under this section.”.

4 **“§ 2220. Closed and expired accounts: procedures**

5 “SUBDIVIDED APPROPRIATIONS.—In the case of ac-
6 counts of the Department of Defense, Shipbuilding and
7 Conversion, Navy and Weapons Procurement, Navy in
8 which amounts have been appropriated as subdivisions
9 within an appropriation, when a current account of the
10 Department of Defense is to be charged under the provi-
11 sions of section 1553(b)(1) of title 31, United States Code,
12 and appropriations have been made in that account on a
13 subdivided basis, the phrase ‘any current appropriation ac-
14 count of the agency available for the same purpose’ as
15 used in section 1553(b)(1) of title 31 shall mean any sub-
16 division of the currently available appropriation that is to
17 be charged. Charges that are made may be allocated
18 among the subdivisions of such a currently available ap-
19 propriation. In calculating the amounts chargeable to such
20 a currently available appropriation, the amount equal to
21 one percent of the total appropriations for that appropria-
22 tion shall be one percent of the cumulative total of the
23 subdivisions of the appropriation being charged.”.

1 (2) The table of sections at the beginning of such
 2 chapter is amended by adding at the end thereof the fol-
 3 lowing new items:

“2219. Authority to incur readiness obligations.
 “2220. Closed and expired accounts: procedures.”.

4 (b) AMENDMENT TO NATIONAL DEFENSE AUTHOR-
 5 IZATION ACT FOR FISCAL YEAR 1991.—Section 1405(b)
 6 of the National Defense Authorization Act for Fiscal Year
 7 1991 (31 U.S.C. 1551 note) is amended by adding at the
 8 end the following new paragraph:

9 “(9) OBLIGATIONS AND ADJUSTMENTS OF OB-
 10 LIGATIONS FOR EXPIRED OR CLOSED ACCOUNTS
 11 THAT MAY BE IN VIOLATION OF THE ANTI DEFICI-
 12 CIENCY ACT.—(A) Subject to subparagraphs (b), (c),
 13 (D), (E), and (F), in the case of an appropriation
 14 account for a fiscal year before fiscal year 1992 for
 15 which the period of availability for obligation has ex-
 16 pired, including an appropriation account that has
 17 been closed under the provisions of section 1552(a)
 18 of title 31, United States Code, or paragraph (4) of
 19 this section, an obligation and an adjustment to an
 20 obligation may be charged to any current appropria-
 21 tion account of the Department of Defense that is
 22 available for the same purpose as the expired or
 23 closed account if—

1 “(i) it appears, for a review of the account-
2 ing records of the Department of Defense, that
3 the expired or closed account may have been
4 over expended or over obligated in violation of
5 section 1341 of title 31, United States Code;

6 “(ii) an investigation by the Department of
7 Defense will be necessary to determine whether,
8 in fact, a violation of section 1341 of title 31,
9 United States Code, has occurred with respect
10 to such expired or closed account;

11 “(iii) the obligation would have been prop-
12 erly chargeable (except as to amount) to the ex-
13 pired or closed account before the end of the
14 period of availability of the account; and

15 “(iv) the obligation is not otherwise prop-
16 erly chargeable to any current appropriation ac-
17 count of the Department of Defense.

18 “(B) The total amount charged to a current ap-
19 propriation account under subparagraph (A) may
20 not exceed an amount equal to the lesser of—

21 “(i) one percent of the total amount of the
22 appropriations for that account; or

23 “(ii) one percent of that total amount of
24 the appropriations for the expired or closed ac-
25 count.

1 “(C) No obligation or adjustment to an obliga-
2 tion may be charged pursuant to the provisions of
3 this paragraph unless it has been determined by the
4 Department of Defense that the obligation or adjust-
5 ment cannot be charged pursuant to paragraph (7)
6 or (8) of this section, due to the need to conduct the
7 investigation described in subparagraph (A)(ii).

8 “(D) No obligation or adjustment to an obliga-
9 tion may be charged pursuant to the provisions of
10 this paragraph until the Committee on Armed Serv-
11 ices of the Senate, the Committee on National Secu-
12 rity of the House of Representatives and the Com-
13 mittees on Appropriations of the Senate and House
14 Representatives are notified of the intent to make
15 such a charge and to initiate an investigation as de-
16 scribed in subpart (A)(ii), and a period of 30 days
17 elapses after the notification is submitted.

18 “(E) If the investigation described in subpara-
19 graph (A)(ii) subsequently discloses that, in fact,
20 there was no violation of section 1341 of title 31,
21 United States Code, then in the case of an expired
22 account that has not been closed, any charge to a
23 current account that was made pursuant to the pro-
24 visions of this paragraph shall be reversed and re-
25 corded against the expired account which would have

1 been charged but for the need to conduct an inves-
2 tigation.

3 “(F) If the investigation described in subpara-
4 graph (A)(ii) subsequently discloses that, in fact,
5 there was a violation of section 1341 of title 31,
6 United States Code, then notice of the violation shall
7 be submitted promptly as required by section 1351
8 of title 31, United States Code.”.

9 **SEC. 1004. CLAIMS OF PERSONNEL FOR PERSONAL PROP-**
10 **ERTY DAMAGE OR LOSS.**

11 (a) CLAIMS RESULTING FROM EMERGENCY EVACU-
12 ATION OR OTHER EXTRAORDINARY CIRCUMSTANCES.—
13 Section 3721(c) of title 31, United States Code, is amend-
14 ed—

15 (1) by redesignating paragraph (3) as para-
16 graph (4); and

17 (2) by inserting after paragraph (2) the follow-
18 ing new paragraph:

19 “(3) The Secretary of Defense or, for a military
20 department not part of the Department of Defense,
21 the Secretary of that military department, may
22 waive the settlement and payment limitation of para-
23 graph (b) of this section for claims by personnel
24 under the jurisdiction of the concerned Secretary for
25 damage or loss of personal property where the con-

cerned Secretary determines that such claims arose from an emergency evacuation or from extraordinary circumstances that warrant such a waiver. The Secretary of Defense or, for a military department not part of the Department of Defense, the Secretary of that military department, shall prescribe regulations and may delegate his or her authority for the administration of this paragraph.”.

(b) RETROACTIVE APPLICATION.—The amendment made by this section shall apply with respect to claims arising on or after June 1, 1991.

Subtitle B—Counter-Drug Activities

SEC. 1011. CLARIFICATION AND AMENDMENT OF AUTHORITY FOR FEDERAL SUPPORT OF DRUG INTERDICTION AND COUNTERDRUG ACTIVITIES OF THE NATIONAL GUARD.

(a) IN GENERAL.—Section 112 of title 32, United States Code, is amended to read as follows:

“§ 112. Drug interdiction and counterdrug activities of the National Guard

“(a) DEFINITIONS.—For purposes of this section—

“(1) the term ‘drug interdiction and counterdrug activities’ means the use of National Guard personnel, while not in Federal service, in any

1 drug interdiction and counterdrug law enforcement
2 activities authorized by State law and requested by
3 the Governor;

4 “(2) the term ‘Governor of a State’ means, in
5 the case of the District of Columbia, the Command-
6 ing General of the National Guard of the District of
7 Columbia,

8 “(3) the term ‘State’ means each of the several
9 States, Territories, the District of Columbia, or the
10 Commonwealth of Puerto Rico, and

11 “(4) the term ‘counterdrug duty’ means full-
12 time National Guard duty under section 502(f) of
13 this title for the purpose of drug interdiction and
14 counterdrug activities pursuant to a plan submitted
15 and approved under subsection (c) of this section.

16 “(b) FUNDING ASSISTANCE; AUTHORIZATION OF
17 FULL-TIME NATIONAL GUARD DUTY.—(1) The Secretary
18 of Defense may, under regulations prescribed by the Sec-
19 retary, provide to the Governor of a State who submits
20 a plan to the Secretary under subsection (c) sufficient
21 funds for—

22 “(A) the pay, allowances, clothing, subsistence,
23 gratuities, travel, and related expenses, as author-
24 ized by State law, of personnel of the National

1 Guard of that State used for the purpose of drug
2 interdiction and counterdrug activities;

3 “(B) the operation and maintenance of the
4 equipment and facilities of the National Guard of
5 that State used for the purpose of drug interdiction
6 and counterdrug activities; and

7 “(C) the procurement of services and leasing of
8 equipment for the National Guard of that State used
9 for the purpose of drug interdiction and counterdrug
10 activities.

11 “(2) Under regulations to be prescribed by the Sec-
12 retary, to the extent requested by a Governor in the plan
13 required under subsection (c) the Secretary may, in lieu
14 of providing funds to the Governor for the purposes speci-
15 fied in subsection (1)(A), allocate funds for the pay, allow-
16 ances, clothing, subsistence, gratuities, travel, and related
17 expenses of personnel of the National Guard of that State
18 who perform counterdrug duty under section 502(f) of this
19 title pursuant to a plan submitted and examined as re-
20 quired by this section.

21 “(3) Not more than 4000 members of the National
22 Guard may be on counterdrug duty under this section for
23 more than 180 days, or kept on duty under State author-
24 ity for more than 180 days for drug interdiction and
25 counterdrug activities with State pay and allowances reim-

1 bursed under this section, at the end of any fiscal year.
2 The Secretary of Defense may increase the end strength
3 authorized in the preceding sentence by not more than
4 20% of that end strength at the end of any fiscal year
5 if the Secretary determines that such an increase is nec-
6 essary in the national interest because of unforeseen
7 needs.

8 “(c) PLAN REQUIREMENTS; EXAMINATION OF
9 PLAN.—(1) A State Drug Interdiction and Counterdrug
10 Activities Plan shall—

11 “(A) specify how personnel of the National
12 Guard of that State are to be used in drug interdic-
13 tion and counterdrug activities;

14 “(B) certify that those operations are to be con-
15 ducted at a time when the personnel involved are not
16 in Federal service;

17 “(C) certify that participation by National
18 Guard personnel in those operations is service in ad-
19 dition to training required under section 502 of this
20 title;

21 “(D) include a certification by the attorney gen-
22 eral or equivalent civil official of the State that the
23 use of the National Guard for the activities proposed
24 thereunder is authorized by and consistent with
25 state law; and

1 “(E) certify that the Governor or a civil law en-
2 forcement official of the State designated by the
3 Governor has determined that any activities in con-
4 junction with Federal law enforcement agencies in-
5 cluded in the plan serve a state law enforcement
6 purpose.

7 “(2) Before funds are provided to the Governor of
8 a State under this section, or members of the National
9 Guard of that State are ordered to counterdrug duty, the
10 Secretary of Defense shall examine the adequacy of the
11 plan submitted by the Governor under subsection (1).

12 “(3) Except as provided in paragraph (4), the Sec-
13 retary shall carry out subsection (2) in consultation with
14 the Director of National Drug Policy.

15 “(4) Paragraph (3) shall not apply if—

16 “(A) the Governor of a State submits a plan
17 under subsection (1) that is substantially the same
18 as a plan submitted for that State for a previous fis-
19 cal year; and

20 “(B) funds were provided to the State or ex-
21 pended for counterdrug duty pursuant to such plan.

22 “(d) STATUTORY CONSTRUCTION.—Nothing in this
23 section shall be construed as a limitation on the authority
24 of any unit of the National Guard of a State, when such
25 unit is not in Federal service, to perform law enforcement

1 functions authorized to be performed by the National
2 Guard by the laws of the State concerned.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of chapter 1 of title 32, United States
5 Code, is amended by amending the item relating to section
6 112 to read as follows:

“112. Drug interdiction and counterdrug activities of the National Guard.”.

7 **SEC. 1012. AUTHORIZATION TO CONDUCT OUTREACH PRO-**
8 **GRAMS TO REDUCE DEMAND FOR ILLEGAL**
9 **DRUGS.**

10 (a) IN GENERAL.—Chapter 18 of title 10, United
11 States Code, is amended by adding at the end the follow-
12 ing new section:

13 **“§ 382. Outreach programs to reduce demand for ille-**
14 **gal drugs**

15 “(a) OUTREACH PROGRAMS.—The Secretary of De-
16 fense may conduct outreach programs to reduce the de-
17 mand for illegal drugs among youths. The programs may
18 include outreach activities, either separately or jointly, by
19 both the active and reserve components of the armed
20 forces.

21 “(b) FUNDING.—Funds available to the Department
22 of Defense for drug interdiction and counter-drug activi-
23 ties may be used for carrying out the outreach programs
24 described in subsection (a).”.

1 (b) CLERICAL AMENDMENT.—The table of sections
 2 at the beginning of chapter 18 of title 10, United States
 3 Code, is amended by adding at the end the following new
 4 item:

“382. Outreach programs to reduce demand for illegal drugs.”.

5 **Subtitle C—Other Matters**

6 **SEC. 1021. AUTHORIZATION OF TRANSPORTATION BE-** 7 **TWEEN RESIDENCE AND PLACE OF EMPLOY-** 8 **MENT.**

9 Section 1344(d) of title 31, United States Code, is
 10 amended—

11 (1) in paragraph (1), by striking out “name
 12 and”;

13 (2) in paragraph (2), by striking out “90 addi-
 14 tional calendar days.” and “90 calendar days,” and
 15 inserting in lieu thereof “one year.” and “one year,”
 16 respectively; and

17 (3) in paragraph (3), by striking out the period
 18 at the end of the first sentence and inserting in lieu
 19 thereof “, with respect to the Department of De-
 20 fense, the Secretary of Defense may delegate the au-
 21 thority under subsection (b)(8) to the Heads of
 22 Department of Defense Components, and with re-
 23 spect to the Military Departments, the Service Sec-
 24 retary may delegate the authority under subsection

1 (b)(8) to an officer in the department at or above
2 the level of the Service Vice Chief.”.

3 **SEC. 1022. NATIONAL GUARD CIVILIAN YOUTH OPPORTUNI-**
4 **TIES PROGRAM.**

5 Section 1091 of the National Defense Authorization
6 Act for Fiscal Year 1993 (32 U.S.C. 501 note) is amend-
7 ed—

8 (1) by amending subsection (a) to read as fol-
9 lows:

10 “(a) PROGRAM AUTHORITY.—The Secretary of De-
11 fense, acting through the Chief of the National Guard Bu-
12 reau, may conduct a program to be known as the
13 “National Guard Civilian Youth Opportunities Program.”;

14 (2) by amending subsection (b) to read as fol-
15 lows:

16 “(b) PURPOSE.—The purpose of the program is to
17 improve the life skills and employment potential of civilian
18 youth who cease to attend secondary school before gradua-
19 tion, through military-based training, including supervised
20 work experience in community service and conservation
21 projects, provided by the National Guard.”;

22 (3) by striking out “pilot” in each place it ap-
23 pears;

24 (4) by striking out “conducted under the pilot
25 program” in each place it appears; and

1 (5) by striking out “under the pilot program”
 2 in the first sentence of subsection (g)(1).

3 (b) REQUISITION AND USE OF GENERAL SERVICES
 4 ADMINISTRATION VEHICLES.—Section 1091(h) of the Na-
 5 tional Defense Authorization Act for Fiscal Year 1993 (32
 6 U.S.C. 501 note) is amended by adding at the end the
 7 following new paragraph:

8 “(3) The conduct of a program by a State
 9 under an agreement entered into pursuant to sub-
 10 section (d) of this section shall be considered an offi-
 11 cial government purpose for the purpose of req-
 12 uisitioning and use of government vehicles pursuant
 13 to section 211 of the Federal Property and Adminis-
 14 trative Services Act of 1949 (40 U.S.C. 491). The
 15 United States Property and Fiscal Officer of the
 16 National Guard of the jurisdiction concerned shall
 17 be considered an official of a requisitioning agency
 18 for the purpose of such section 491.”.

19 **SEC. 1023. CLARIFICATION OF AUTHORITY FOR REQ-**
 20 **UISITIONING AND LEASE OF GENERAL SERV-**
 21 **ICES VEHICLES FOR THE NATIONAL GUARD.**

22 (a) IN GENERAL.—Chapter 7 of title 32, United
 23 States Code is amended by adding at the end the following
 24 new section:

1 **“§ 717. Requisitioning and use of General Services**

2 **Administration vehicles**

3 “The training and administration of the National
 4 Guard by the States, Territories, Puerto Rico, and the
 5 District of Columbia, in accordance with this title and reg-
 6 ulations prescribed under this title, shall be considered an
 7 official government purpose for the purpose of requisition-
 8 ing and use of government vehicles pursuant to section
 9 211 of the Federal Property and Administrative Services
 10 Act of 1949 (40 U.S.C. 491). The United States Property
 11 and Fiscal Officer of the National Guard of the jurisdic-
 12 tion concerned shall be considered an official of a req-
 13 uisitioning agency for the purposes of such section 491.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
 15 at the beginning of chapter 7 of title 32 is amended by
 16 inserting at the end the following new item:

“717. Requisitioning and use of General Services Administration vehicles.”.

17 **SEC. 1024. ARMED FORCES HISTORICAL PRESERVATION**
 18 **PROGRAM.**

19 Section 2572(b)(1) of title 10, United States Code
 20 is amended by striking out “and restoration services” and
 21 inserting in lieu thereof “restoration, conservation, and
 22 preservation services, and for educational programs, sup-
 23 plies and new upgraded or renovated conservation equip-
 24 ment, facilities and systems within existing structures,”.

1 **SEC. 1025. AMENDMENTS TO EDUCATION LOAN REPAY-**
2 **MENT PROGRAMS.**

3 (a) GENERAL EDUCATION LOAN REPAYMENT PRO-
4 GRAM.—Section 2171(a)(1) of title 10, United States
5 Code, is amended—

6 (1) by striking out “or” at the end of subpara-
7 graph (A);

8 (2) by redesignating subparagraph (B) as sub-
9 paragraph (C); and

10 (3) by inserting after subparagraph (A) the fol-
11 lowing new subparagraph:

12 “(B) any loan made under part D of such
13 title (the William D. Ford Federal Direct Loan
14 Program, 20 U.S.C. 1087a et seq.); or”.

15 (b) EDUCATION LOAN REPAYMENT PROGRAM: EN-
16 LISTED MEMBERS OF SELECTED RESERVE WITH CRITI-
17 CAL SPECIALTIES.—Section 16301(a)(1) of title 10,
18 United States Code, is amended—

19 (1) by striking out “or” at the end of subpara-
20 graph (A);

21 (2) by redesignating subparagraph (B) as sub-
22 paragraph (C); and

23 (3) by inserting after subparagraph (A) the fol-
24 lowing new subparagraph:

1 “(B) any loan made under part D of such
2 title (the William D. Ford Federal Direct Loan
3 Program, 20 U.S.C. 1087a et seq.); or”.

4 (c) EDUCATION LOAN REPAYMENT PROGRAM:
5 HEALTH PROFESSIONS OFFICERS SERVING IN SELECTED
6 RESERVE WITH WARTIME CRITICAL MEDICAL SKILL
7 SHORTAGES.—Section 16302(a) of title 10, United States
8 Code, is amended—

9 (1) by redesignating paragraphs (2) through
10 (4) as paragraphs (3) through (5) respectively; and
11 (2) by inserting after paragraph (1) the follow-
12 ing new paragraph:

13 “(2) any loan made under part D of such title
14 (the William D. Ford Federal Direct Loan Program,
15 20 U.S.C. 1087a et seq.); or”.

16 **TITLE XI—MATTERS RELATING**
17 **TO ALLIES, OTHER NATIONS,**
18 **AND INTERNATIONAL ORGA-**
19 **NIZATIONS**

20 **SEC. 1101. BURDENSARING CONTRIBUTIONS: ACCOUNT-**
21 **ING.**

22 Section 2350j of title 10, United States Code, is
23 amended—

24 (1) by amending subsection (b) to read as
25 follows:

1 “(b) ACCOUNTING.—Contributions which are not re-
 2 lated to Security Assistance and which are accepted from
 3 the Republic of Korea under subsection (a) shall be placed
 4 in a special account. Such contributions may be accepted,
 5 managed, and expended in dollars or in the currency of
 6 the host nation, and shall be available for the purposes
 7 specified in subsection (c) until expended.”; and

8 (2) in subsection (d), by striking out “credited
 9 under subsection (b) to an appropriation account of
 10 the Department of Defense” and inserting in lieu
 11 thereof “placed in the special account established
 12 under subsection (b)”.

13 **SEC. 1102. RELOCATION OF UNITED STATES ARMED**
 14 **FORCES IN JAPAN AND THE REPUBLIC OF**
 15 **KOREA.**

16 (a) IN GENERAL.—Subchapter II of chapter 138 of
 17 title 10, United States Code, is amended by adding at the
 18 end the following new section:

19 **“§ 2350k. Relocation of United States armed forces in**
 20 **Japan and the Republic of Korea**

21 “(a) AUTHORITY TO ACCEPT CONTRIBUTIONS.—The
 22 Secretary of Defense is authorized to accept contributions
 23 from Japan and the Republic of Korea in dollars or in
 24 the currency of the host nation to be expended for the
 25 purposes specified in subsection (b).

1 “(b) EXPENDITURE OF CONTRIBUTIONS.—The Sec-
2 retary of Defense may expend contributions accepted
3 under subsection (a) only in payment of costs incurred be-
4 cause of or in support of the relocation of elements of the
5 United States armed forces from or to any location within
6 the host nation. These costs include—

7 “(1) design and construction services, including
8 development and review of statements of work, mas-
9 ter plans and designs, acquisition of construction,
10 and supervision and administration of contracts re-
11 lating thereto;

12 “(2) transportation and movement services, in-
13 cluding packing, unpacking, storage, and transpor-
14 tation;

15 “(3) communications services, including instal-
16 lation and deinstallation of communications equip-
17 ment, transmission of messages and data, and rental
18 of transmission capability;

19 “(4) supply and administration, including ac-
20 quisition of expendable office supplies, rental of of-
21 fice space, budgeting and accounting services, audit-
22 ing services, secretarial services, and translation
23 services;

24 “(5) personal costs, including salary, allowances
25 and overhead of employees whether full-time or part-

1 time, temporary or permanent (except for military
2 personnel), and travel and temporary duty costs; and

3 “(6) all other clearly identifiable expenses di-
4 rectly related to relocation.

5 “(c) METHOD OF CONTRIBUTION.—Contributions
6 may be accepted in the following forms:

7 “(1) Irrevocable letter of credit issued by a fi-
8 nancial institution acceptable to the Treasurer of the
9 United States;

10 “(2) Drawing rights on a commercial bank ac-
11 count established and funded by the host nation,
12 which account is blocked such that funds deposited
13 cannot be withdrawn except by or with the approval
14 of the United States; or

15 “(3) Cash, which shall be deposited in a sepa-
16 rate Trust Fund in the United States Treasury
17 pending expenditure and shall accrue interest in ac-
18 cordance with section 9702 of title 31, United States
19 Code.

20 “(d) REPORTS.—Not later than 30 days after the end
21 of each fiscal year, the Secretary of Defense shall submit
22 to the Congress a report specifying—

23 “(1) the amount of the contributions accepted
24 by the Secretary during the preceding fiscal year

1 under subsection (a) and the purposes for which the
2 contribution were made; and

3 “(2) the amount of the contributions expended
4 by the Secretary during the preceding fiscal year
5 and the purposes for which the contributions were
6 expended.”.

7 (b) CLERICAL AMENDMENT.—The table of sections
8 at the beginning of subchapter II of chapter 138 of title
9 10, United States Code, is amended by adding at the end
10 the following new item:

“2350k. Relocation of United States armed forces in Japan and the Republic
of Korea.”.

11 (c) EFFECTIVE DATE.—This section shall take effect
12 on October 1, 1995, and shall apply to contributions for
13 relocation of United States armed forces in or to Japan
14 and the Republic of Korea received on or after such date.

15 **SEC. 1103. RATIONALIZATION, STANDARDIZATION AND**
16 **INTEROPERABILITY.**

17 Section 515(a)(6) of the Foreign Assistance Act of
18 1961 (22 U.S.C. 2321i(a)(6)) is amended to read as fol-
19 lows:

20 “(6) promoting rationalization, standardization,
21 interoperability, and other defense cooperation meas-
22 ures; and”

1 **SEC. 1104. COST OF LEASED ITEMS WHICH HAVE BEEN DE-**
2 **STROYED BY THE LESSEE.**

3 Section 61 of the Arms Export Control Act (22
4 U.S.C. 2796) is amended—

5 (1) by amending subsection (a)(3) to read as
6 follows:

7 “(3) the country or international organization
8 has agreed to pay in United States dollars all costs
9 incurred by the United States Government in leasing
10 such articles, including reimbursement for deprecia-
11 tion of such articles while leased, the costs of res-
12 toration or replacement if the articles are damaged
13 while leased, and, if the articles are lost or destroyed
14 while leased—

15 “(A) in the event the United States in-
16 tends to replace the item lost or destroyed, the
17 replacement cost (less any depreciation in the
18 value) of the articles; or

19 “(B) in the event the United States does
20 not intend to replace the item lost or destroyed,
21 an amount not less than the actual value (less
22 any depreciation in the value) specified in the
23 lease agreement.”; and

24 (2) by adding at the end the following new sub-
25 section:

1 “(d) The Secretaries of the military departments may
2 use amounts paid by the country or international organi-
3 zation pursuant to subsection (a)(3)(A) to replace the item
4 lost or destroyed and amounts paid by the country or
5 international organization pursuant to subsection
6 (a)(3)(B) to fund upgrades or modifications of similar sys-
7 tems of the military departments.”.

8 **SEC. 1105. EXCHANGE AND RETURNS OF DEFENSE ARTI-**
9 **CLES PREVIOUSLY TRANSFERRED PURSUANT**
10 **TO THE ARMS EXPORT CONTROL ACT.**

11 (a) Section 21 of the Arms Export Control Act (22
12 U.S.C. 2761) is amended by adding at the end the follow-
13 ing new subsection:

14 “(l)(1) Subject to paragraph (2) of this subsection,
15 the President may acquire from an eligible foreign country
16 or international organization a defense article, previously
17 transferred to such country or organization in accordance
18 with this Act, as follows:

19 “(A) a repairable defense article other than an
20 end item to be exchanged or repaired or new spare
21 part or component of the same type that is available
22 in the stocks of the Department of Defense; or

23 “(B) a defense article, other than significant
24 military equipment, which is in fully functioning
25 condition without need of repair or rehabilitation.

1 “(2) The authority of the President to accept the re-
2 turn of a defense article as provided in paragraph (1) of
3 this subsection is not subject to chapter 137 of title 10,
4 United States Code, or any other provision relating to the
5 conclusion of contracts. The following conditions apply to
6 the exercise of such authority:

7 “(A) The Department of Defense must have a
8 requirement for such defense article or must be ac-
9 cepting the return for subsequent transfer to an-
10 other eligible foreign country or international organi-
11 zation pursuant to a Letter of Offer and Acceptance
12 implemented in accordance with this Act.

13 “(B) The Department of Defense must have
14 available sufficient funds either (i) authorized and
15 appropriated for such purpose, or (ii) provided by
16 another eligible purchaser pursuant to a Letter of
17 Offer and Acceptance implemented in accordance
18 with this Act.

19 “(C) The eligible foreign country or inter-
20 national organization receiving a defense article in
21 exchange for a repaired or new spare part or compo-
22 nent under subparagraph (1)(A) of this subsection
23 shall, upon return to and acceptance by the United
24 States Government of the repairable defense article,
25 be charged the total cost associated with the repair

1 and replacement transaction. The cost should be the
2 same as that charged the United States Armed
3 Forces for a similar repair and replacement trans-
4 action, plus an administrative surcharge in accord-
5 ance with subsection (e)(1)(A) of this section.

6 “(D) Upon acquisition and acceptance by the
7 United States Government of a defense article under
8 subparagraph (1)(B) of this subsection, the appro-
9 priate Foreign Military Sales account of the provider
10 will be credited to reflect the transaction.

11 “(3) Under the direction of the President, the Sec-
12 retary of Defense shall promulgate regulations to imple-
13 ment the provisions of this subsection.”.

14 **SEC. 1106. FOREIGN DISASTER ASSISTANCE.**

15 Subsection 404(c) of title 10, United States Code, is
16 amended by striking out “Not” at the beginning of the
17 first sentence and inserting in lieu thereof “In case of any
18 operation which is expected to exceed \$10 million in cost
19 or last longer than three months, not”.

20 **SEC. 1107. HUMANITARIAN ASSISTANCE.**

21 Section 2551(e) of title 10, United States Code, is
22 amended to read as follows:

23 “(e) STATUS REPORTS.—(1) The Secretary of De-
24 fense shall submit, at the time of the budget submission
25 by the President, a report to the Committees on Armed

1 Services and Foreign Relations of the Senate and the
2 Committees on National Security and International Rela-
3 tions of the House of Representatives on the provision of
4 humanitarian assistance pursuant to this section for the
5 prior fiscal year program.

6 “(2) Each report required by paragraph (1) shall
7 cover all provisions of law, contained in defense authoriza-
8 tion acts, that authorize appropriations for humanitarian
9 assistance to be available for the purposes of this section.
10 Subsequent reports shall not be submitted after the obliga-
11 tion of all amounts appropriated pursuant to such provi-
12 sions of law.

13 “(3) Required reports shall contain the following in-
14 formation regarding the previous fiscal year’s activities:

15 “(A) The total amount of funds obligated for
16 humanitarian relief under this section.

17 “(B) The number of scheduled and completed
18 transportation missions for purposes of providing
19 humanitarian assistance under this section.

20 “(C) A description of any transfer of excess
21 nonlethal supplies of the Department of Defense
22 made available for humanitarian relief purposes
23 under section 2547 of this title. The description
24 shall include the date of the transfer, to whom the

1 transfer is made, and the quantity of items trans-
2 ferred.”.

3 **SEC. 1108. HUMANITARIAN ASSISTANCE PROGRAM FOR**
4 **CLEARING LANDMINES.**

5 Section 1413 of the National Defense Authorization
6 Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat.
7 2913) is amended—

8 (1) in subsection (a) by inserting after “Sec-
9 retary of Defense” “, with the concurrence of the
10 Secretary of State,”; and

11 (2) by amending subsection (d) to read as fol-
12 lows:

13 “(d) USE OF FUNDS.—During Fiscal Year 1996,
14 funds appropriated to the Department of Defense which
15 are available for humanitarian assistance may be used—

16 “(1) for activities to support the clearing of
17 landmines for humanitarian purposes, including ac-
18 tivities related to the furnishing of education, train-
19 ing, and technical assistance;

20 “(2) for the provision of equipment and tech-
21 nology by transfer or lease to a foreign government
22 that is participating in a landmine clearing program
23 under this section;

24 “(3) for contributions to nongovernmental and
25 international organization that have experience in

1 the clearing of landmines to support the activities
 2 described in subsection (a); and

3 “(4) for rudimentary construction and repair of
 4 facilities in support of the demining program.”.

5 **SEC. 1109. REIMBURSEMENTS, CREDITS, AND LIMITED PAY-**
 6 **MENTS FOR ASSESSMENTS RELATING TO**
 7 **INTERNATIONAL PEACEKEEPING AND PEACE**
 8 **ENFORCEMENT ACTIVITIES.**

9 (a) IN GENERAL.—Subchapter I of chapter 20 of title
 10 10, United States Code, is amended by adding at the end
 11 the following new section:

12 **“§ 406. International peacekeeping and international**
 13 **peace enforcement; support involving**
 14 **United States combat forces**

15 “(a) AUTHORITY.—Notwithstanding the provisions of
 16 any other law, the President is authorized to provide as-
 17 sistance, including personnel, supplies, services, and equip-
 18 ment, in support of international peacekeeping and peace
 19 enforcement activities, and to make contributions to pay
 20 assessments on behalf of the United States for such oper-
 21 ations conducted by the United Nations in which United
 22 States combat forces participate.

23 “(b) REIMBURSEMENT PROVISIONS.—Whenever as-
 24 sistance is provided under subsection (a), the President
 25 shall require reimbursement to the United States for the

1 agreed costs of providing such support, subject to the fol-
2 lowing provisions:

3 “(1) In exceptional circumstances, and when
4 the President finds it to be in the national interest,
5 he may waive, in whole or in part, the requirement
6 of such reimbursement.

7 “(2) In the case of a reimbursement from the
8 United Nations, such reimbursement may be made,
9 subject to section (c)(1), either directly, or indirectly
10 in the form of the receipt of a credit to be applied
11 against the United States Government of any assess-
12 ment due and owing.

13 “(c) CREDITING OF RECEIPTS.—(1) The President is
14 authorized to receive reimbursement from any source for
15 the costs incurred by the United States for assistance pro-
16 vided pursuant to subsection (a). Any reimbursements re-
17 ceived shall first be used to reimburse the appropriate de-
18 partment of the Department of Defense for any incremen-
19 tal costs incurred in the provision of such assistance. Re-
20 imbursements received for incremental costs shall be cred-
21 ited, at the option of the appropriate department of the
22 Department of Defense, either to the appropriation, fund,
23 or account utilized in incurring the obligation, or to an
24 appropriate appropriation, fund, or account currently

1 available for the purpose for which the expenditures were
2 made.

3 “(2) An account known as the International Peace-
4 keeping and Peace Enforcement Activities Account is
5 hereby established in the Treasury of the United States.
6 Moneys appropriated to or deposited in this Account shall
7 be utilized for the purpose of paying assessments for
8 United Nations operations made under this section and
9 shall remain available until expended. To the extent that
10 the amount of any reimbursement received is in excess of
11 reimbursement for incremental costs made under sub-
12 section (c)(1), such excess funds may be credited to the
13 Account.

14 “(d) ANNUAL REPORTING REQUIREMENT.—The
15 President shall submit to Congress not later than Feb-
16 ruary 1 of each year a report for the previous fiscal year
17 containing—

18 “(1) a description of each international peace-
19 keeping or peace enforcement activity supported
20 under the authority of this section;

21 “(2) the types of assistance provided under this
22 section, by operation or activity supported; and

23 “(3) the dollar value, by operation or activity
24 supported, of all assistance provided, reimburse-
25 ments received, reimbursements waived, credits

1 taken, and obligations incurred in the International
2 Peacekeeping and Peace Enforcement Activities Ac-
3 count.

4 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
5 are hereby authorized to be appropriated to the Depart-
6 ment of Defense, funds for the payment of assessments
7 for United Nations operations made under the authority
8 of this section.

9 “(f) LIMITATIONS ON THE PAYMENT OF ASSESS-
10 MENTS.—(1) Payments for assessments made under sub-
11 section (a) may be provided only for an operation con-
12 ducted by the United Nations for which the Secretary of
13 Defense has primary responsibility.

14 “(2) Payments for assessments made under sub-
15 section (a) shall not be available in an amount which is
16 greater than 25 percent of the total of all assessed con-
17 tributions for such operations.

18 “(g) AUTHORITY INAPPLICABLE WHEN UNITED
19 STATES COMBAT FORCES ARE NOT INVOLVED.—The au-
20 thority in subsection (a) to pay United Nations assess-
21 ments for international peacekeeping and international
22 peace enforcement activities of the United Nations may
23 not be construed as authorizing payment of United Na-
24 tions assessments for any such activity in which United
25 States combat forces do not participate.

1 “(h) DEFINITIONS.—The following definitions apply
2 in this section:

3 “(1) The term ‘international peacekeeping’
4 means those international peacekeeping activities
5 performed pursuant to Chapter VI of the United
6 Nations Charter.

7 “(2) The term ‘international peace enforcement’
8 means those activities performed pursuant to Chap-
9 ter VII of the United Nations Charter.”.

10 (b) CLERICAL AMENDMENT.—The table of sections
11 at the beginning of subchapter I of chapter 20 of title 10,
12 United States Code, is amended by adding at the end the
13 following new item:

“406. International peacekeeping and international peace enforcement; support
involving United States combat forces.”.

14 **SEC. 1110. EXTENSION AND AMENDMENT OF COUNTER-**
15 **PROLIFERATION AUTHORITIES.**

16 Section 1505 of the National Defense Authorization
17 Act for fiscal year 1993 (22 U.S.C. 5859a) is amended—

18 (1) in subsection (a), by striking out “during
19 fiscal years 1994 and 1995” and inserting in lieu
20 thereof “during fiscal year 1996”;

21 (2) in subsection (b)—

22 (A) in paragraph (2), by striking out “the
23 On-Site Inspection Agency” and inserting in
24 lieu thereof “the Department of Defense”; and

1 (B) by adding at the end the following new
2 paragraph:

3 “(5) Activities supporting the dismantlement,
4 destruction, diversion, or conversion to acceptable
5 uses of nuclear, biological, and chemical weapons,
6 their delivery systems, related articles and tech-
7 nologies of concern, and other weapons.”;

8 (3) by amending subsection (c)(3) to read as
9 follows:

10 “(3) No amount may be obligated for an ex-
11 penditure under this section unless the Director of
12 the Office of Management and Budget determines
13 that the expenditure will be counted as discretionary
14 spending in the national defense function (050).”;

15 (4) in subsection (d)—

16 (A) by striking out paragraphs (1) and
17 (3); and

18 (B) by striking out “(2)” at the beginning
19 of the remaining matter; and

20 (5) in subsection (e), by striking out “fiscal
21 years 1994 and 1995” and inserting in lieu thereof
22 “during fiscal year 1996”.

1 **SEC. 1111. COOPERATIVE RESEARCH AND DEVELOPMENT**
2 **AGREEMENTS WITH NATO ORGANIZATIONS—**
3 **TECHNICAL AND CONFORMING AMEND-**
4 **MENTS.**

5 Section 2350b(e) of title 10, United States Code, is
6 amended—

7 (1) in paragraph (1), by inserting “or a NATO
8 organization” after “a participant (other than the
9 United States)”; and

10 (2) in paragraph (2), by inserting “or a NATO
11 organization” after “a cooperative project”.

12 **TITLE XII—ACQUISITION**
13 **REFORM**

14 **SEC. 1201. WAIVERS FROM CANCELLATION OF FUNDS.**

15 Notwithstanding section 1552(a) of title 31, United
16 States Code—

17 (1) funding appropriated for satellite on-orbit
18 incentive fees will remain available for obligation and
19 expenditure until the fee is earned; and

20 (2) funding appropriated for Shipbuilding and
21 Conversion, Navy, and for other government ship-
22 building appropriations, available for engineering
23 services, tests, and evaluations, and other such
24 budgeted work that must be performed in the final
25 stage of ship construction shall be available for obli-

1 gation and expenditure until the purpose for which
2 such monies were appropriated is satisfied.

3 **SEC. 1202. AMENDMENT TO CONFORM PROCUREMENT NO-**
4 **TICE POSTING THRESHOLDS.**

5 Section 18(a)(1)(B) of the Office of Federal Procure-
6 ment Policy Act (41 U.S.C. 416(a)(1)(B)) is amended—

7 (1) by inserting, after the word “contract” the
8 following: “expected to exceed \$10,000 but not to
9 exceed \$25,000”; and

10 (2) by deleting subparagraphs (i) and (ii) en-
11 tirely.

12 **SEC. 1203. COMPETITIVENESS OF UNITED STATES COMPA-**
13 **NIES.**

14 Section 2761 of title 22, United States Code, is
15 amended—

16 (1) by adding the word “and” to the end of
17 subparagraph (e)(1)(A);

18 (2) by striking out subparagraph (e)(1)(B) in
19 its entirety;

20 (3) by redesignating the existing subparagraph
21 (e)(1)(C) as (e)(1)(B);

22 (4) by striking out paragraph (e)(2) in its en-
23 tirety; and

24 (5) by redesignating the existing paragraph
25 (e)(3) as (e)(2).

1 **SEC. 1204. INAPPLICABILITY OF PROHIBITION ON GRATU-**
2 **ITIES.**

3 Section 2207 of title 10, United States Code, is
4 amended—

5 (1) by inserting “in excess of the simplified ac-
6 quisition threshold as defined in section 4(11) of the
7 Office of Federal Procurement Policy Act (41 U.S.C.
8 403(11))” after “may not be spent under a con-
9 tract”; and

10 (2) by inserting “or for commercial items as de-
11 fined in section 4(12) of the Office of Federal Pro-
12 curement Policy Act (41 U.S.C. 403(12))” after “a
13 contract for personal services”.

14 **SEC. 1205. PROMPT RESOLUTION OF ADULT RECOMMENDA-**
15 **TIONS.**

16 Section 6009 of the Federal Acquisition Streamlining
17 Act of 1994 (Public Law 103–355; 108 Stat. 3367, Octo-
18 ber 14, 1994) is amended to read as follows:

19 **“SEC. 6009. PROMPT MANAGEMENT DECISIONS AND IMPLE-**
20 **MENTATION OF AUDIT RECOMMENDATIONS.**

21 “The Heads of Federal agencies shall make manage-
22 ment decisions on all Office of Inspector General audit re-
23 port findings and recommendations within a maximum of
24 six months after their issuance, or in the case of audits
25 performed by non Federal auditors, six months after re-
26 ceipt of the report by the Federal Government. The Heads

1 of Federal agencies shall complete final action on the man-
2 agement decision within twelve months of the report issu-
3 ance or the report will be listed in each Inspector General
4 semiannual report.”.

5 **SEC. 1206. REPEAL OF DOMESTIC SOURCE LIMITATION.**

6 Section 4542 of title 10, United States Code, is re-
7 pealed.

8 **SEC. 1207. EXTRAORDINARY CONTRACTUAL RELIEF.**

9 Section 5 of the Act of August 28, 1958 (Public Law
10 85–804; 72 Stat. 973) is repealed.

11 **SEC. 1208. DISPOSITION OF NAVAL VESSELS.**

12 Section 7306(a)(1) of title 10, United States Code,
13 is amended by inserting “territory,” after “state,”.

14 **SEC. 1209. TEST PROGRAM FOR NEGOTIATION OF COM-**
15 **PREHENSIVE SUBCONTRACTING PLANS.**

16 Section 834 of National Defense Authorization Act
17 for Fiscal Years 1990 and 1991 (15 U.S.C. 637 note) is
18 amended—

19 (1) by amending paragraph (a)(1) to read as
20 follows:

21 “(1) The Secretary of Defense shall establish a
22 test program under which contracting activities in
23 the Military Departments and Defense Agencies are
24 authorized to undertake one or more demonstration
25 projects to determine whether the negotiation and

1 administration of comprehensive subcontracting
2 plans will reduce administrative burdens on contrac-
3 tors while enhancing opportunities provided for
4 small business and small and disadvantaged business
5 firms under Department of Defense contracts. In se-
6 lecting the contracting activities, every effort shall be
7 made to assure that a broad range of the supplies
8 and services acquired by the Department are in-
9 cluded in the test.”;

10 (2) by amending subsection (b)(3) to read as
11 follows:

12 “(3) A Department of Defense Contractor re-
13 ferred to in paragraph (1) is, with respect to a com-
14 prehensive subcontracting plan, a business concern
15 that, during the immediately preceding fiscal year—

16 “(A) pursuant to at least three Depart-
17 ment of Defense contracts, furnishes supplies or
18 services to the Department of Defense, includ-
19 ing professional services, research and develop-
20 ment and construction; and

21 “(B) the aggregate value of all such con-
22 tracts is at least \$5,000,000.”;

23 (3) by striking out subsection (g); and

24 (4) by redesignating subsection (h) as sub-
25 section (g).

1 **SEC. 1210. CIVIL RESERVE AIR FLEET.**

2 Sections 9512 of title 10, United States Code, is
3 amended in subsections (b)(2) and (e) by striking out
4 “full” before “Civil Reserve Air Fleet” in each subsection.

5 **SEC. 1211. EIGHTEEN MONTH SHIPBUILDING CLAIMS.**

6 Section 2405(a) of title 10, United States Code, is
7 amended by adding at the end the following new sentence
8 (following, but not a part of, paragraph (2)): “No court
9 or board shall have jurisdiction of any claim that was not
10 submitted to the contracting officer for a decision within
11 the period provided by this section.”.

12 **SEC. 1212. NAVAL SALVAGE FACILITIES.**

13 (a) CONSOLIDATED STATUTE.—Section 7361 of title
14 10, United States Code, is amended to read as follows:

15 **“§ 7361. Naval salvage facilities**

16 “(a) The Secretary of the Navy may contract or oth-
17 erwise provide for necessary salvage facilities for public
18 and private vessels.

19 “(b) The Secretary shall submit to the Secretary of
20 Transportation for comment each proposed salvage con-
21 tract that affects the interests of the Department of
22 Transportation.

23 “(c) Term contracts are authorized only if the Sec-
24 retary of the Navy determines that available commerical
25 salvage facilities are inadequate to meet national defense

1 requirements and provides public notice of intent to so
2 contract.

3 “(d) The Secretary of the Navy may acquire or
4 transfer such vessels and equipment for operation by pri-
5 vate salvage companies as the Secretary considers nec-
6 essary.

7 “(e) Any private recipient of any salvage vessel or
8 gear must agree in writing that such vessel or gear will
9 be used to support organized offshore salvage facilities for
10 as many years as the Secretary shall consider appropriate.

11 “(f) Amounts received under this section shall be
12 credited to appropriations for maintaining naval salvage
13 facilities. However, any amount received in excess of naval
14 salvage costs incurred in that fiscal year shall be deposited
15 into the general fund of the Treasury.

16 “(g) The Secretary of the Navy, or designee, may set-
17 tle and receive payment for any claim by the United States
18 for salvage services rendered by the Department of the
19 Navy.”.

20 (b) CONFORMING AMENDMENTS.—Sections 7362,
21 7363, 7364, 7365, and 7367 of title 10, United States
22 Code, are repealed.

23 (c) CLERICAL AMENDMENTS.—The table of sections
24 at the beginning of chapter 637 of title 10, United States
25 Code, is amended—

1 (1) by amending the item relating to section
2 7361 to read as follows:

“7361. Naval salvage facilities.”;

3 and

4 (2) by striking out the items relating to sections
5 7362, 7363, 7364, 7365, and 7367.

6 **SEC. 1213. FACTORIES AND ARSENALS: MANUFACTURE AT.**

7 (a) CONSOLIDATED SECTION.—Chapter 148 of title
8 10, United States Code, is amended by adding at the end
9 the following new section:

10 **“§ 2542. Factories and arsenals: manufacture at**

11 “(a) The Secretary of Defense and the secretaries of
12 a military department may have supplies needed for the
13 Department of Defense or a military department made,
14 in appropriate cases, in factories, depots, or arsenals
15 owned by the United States.

16 “(b) The Secretary of Defense or secretary of a mili-
17 tary department may disestablish any United States arse-
18 nal that he considers unnecessary.”.

19 (b) CONFORMING AMENDMENTS.—Sections 4532
20 and 9532 of title 10, United States Code, are repealed.

21 (c) CLERICAL AMENDMENTS.—(1) The table of sec-
22 tions at the beginning of chapter 148 of title 10, United
23 States Code, is amended by adding at the end the follow-
24 ing new item:

“2542. Factories and arsenals: manufacture at.”.

1 (2) The table of sections at the beginning of chapter
2 433 of title 10, United States Code, is amended by strik-
3 ing out the item relating to section 4532.

4 (3) The table of sections at the beginning of chapter
5 933 of title 10, United States Code, is amended by strik-
6 ing out the item relating to section 9532.

7 **SEC. 1214. BAR ON DOCUMENTING ECONOMIC IMPACT.**

8 (a) IN GENERAL.—Section 2247 of title 10, United
9 States Code, is repealed.

10 (b) CLERICAL AMENDMENT.—The table of sections
11 at the beginning of chapter 134 of title 10, United States
12 Code, is amended by striking out the item relating to sec-
13 tion 2247.

14 **SEC. 1215. FEES FOR SAMPLES, DRAWINGS.**

15 Section 2539b(c) of title 10, United States Code, is
16 amended by striking out “may not exceed” in the second
17 sentence and inserting in lieu thereof “must at least in-
18 clude”.

19 **SEC. 1216. CONTRACTS: DELEGATIONS.**

20 (a) IN GENERAL.—Section 2356 of title 10, United
21 States Code, is repealed.

22 (b) CLERICAL AMENDMENT.—The table of sections
23 at the beginning of chapter 139 of title 10, United States
24 Code, is amended by striking out the item relating to sec-
25 tion 2356.

1 **SEC. 1217. DEFENSE ACQUISITION PILOT PROGRAMS.**

2 AUTHORIZATION FOR WAIVERS.—With respect to the
3 defense acquisition pilot programs specified in section
4 5064 the Federal Acquisition Streamlining Act of 1994
5 (Public Law 103–355; 108 Stat. 3359), and such future
6 defense acquisition pilot programs that may be authorized
7 by the Congress pursuant to section 809 of the National
8 Defense Authorization Act for Fiscal Year 1991 (10
9 U.S.C. 2340 note), the Secretary of Defense is authorized
10 to waive or limit the applicability of sections 139(b)(3) and
11 (e), 2366(d), 2399 (b), (c), (d), (e), and (h), 2403, 2432,
12 2433, and 2434 of title 10, United States Code.

13 **SEC. 1218. TESTING.**

14 (a) MAJOR SYSTEMS AND MUNITIONS PROGRAMS.—
15 Section 2366 to title 10, United States Code, is amend-
16 ed—

17 (1) by striking out “survivability” each place it
18 appears and inserting in lieu thereof in each in-
19 stance “vulnerability”;

20 (2) in subsection (b), by inserting after para-
21 graph (2) the following new paragraph:

22 “(3) Testing should begin at the component,
23 subsystem, and subassembly level, culminating with
24 tests of the complete system configured for com-
25 bat.”;

1 (3) in subsection (c)(1), by striking out “vul-
2 nerability and lethality tests” (as amended by para-
3 graph (1) of this subsection) and inserting in lieu
4 thereof “realistic vulnerability and realistic lethality
5 tests.”;

6 (4) in subsection (d), by striking out “vulner-
7 ability and lethality testing” (as amended by para-
8 graph (1) of this subsection) in each place it appears
9 and inserting in lieu thereof in each instance “realis-
10 tic vulnerability or realistic lethality testing.”;

11 (5) in subsection (d), by striking out “Secretary
12 overall assessment” and inserting in lieu thereof
13 “Secretary’s overall assessment”; and

14 (6) in subsection (e)(3), by striking out “vul-
15 nerability of the system in combat” and inserting in
16 lieu thereof “vulnerability of the complete system
17 configured for combat”.

18 (b) OPERATIONAL TEST AND EVALUATION OF DE-
19 FENSE ACQUISITION PROGRAMS.—Section 2399 of title
20 10, United States Code, is amended—

21 (1) in subsection (a)(1) and (2), by striking out
22 “major defense acquisition program” and inserting
23 in lieu thereof “major system”;

24 (2) in subsection (a)(1) by striking out “pro-
25 gram” and inserting in lieu thereof “system”;

1 (3) in the heading of subsection (b), by striking
2 out “OPERATIONAL TEST AND EVALUATION.—” and
3 inserting in lieu thereof “OPERATIONAL TEST AND
4 EVALUATION OF MAJOR DEFENSE ACQUISITION
5 PROGRAMS.—”;

6 (4) in subsection (b)(3), by striking out “Under
7 Secretary of Defense for Acquisition,” and inserting
8 in lieu thereof “Under Secretary of Defense for Ac-
9 quisition and Technology,”;

10 (5) in subsection (d), by striking out “pro-
11 gram” and inserting in lieu thereof “system”;

12 (6) in subsection (d), by striking out the period
13 at the end of the subsection and inserting in lieu
14 thereof the following new sentences: “, nor does it
15 apply to the extent that the Secretary of Defense
16 has authorized, as prescribed in regulation, involve-
17 ment by system contractor employees in operational
18 test and evaluation analytic and logistic support.
19 Such authorization must include steps designed to
20 ensure the impartiality of system contractor employ-
21 ees and the integrity of the testing and evaluation
22 process. In such cases, the test and evaluation mas-
23 ter plan and the operational test and evaluation plan
24 must identify the specific involvement of those con-
25 tractor employees in the operational test and evalua-

1 tion process and the steps taken to ensure contrac-
2 tor impartiality.”;

3 (7) in subsection (e)(1), by striking out “devel-
4 opment, production, or testing of such system” and
5 inserting in lieu thereof “development (excluding
6 testing) or production of such system”;

7 (8) in subsection (e), by amending paragraph
8 (3) to read as follows:

9 “(3) A contractor that has participated in (or
10 is participating in) the development or production of
11 a system for a military department or Defense Agen-
12 cy (or for another contractor of the Department of
13 Defense) may not be involved (in any way) in the es-
14 tablishment of operational test and evaluation cri-
15 teria:

16 “(A) for data collection;

17 “(B) for performance assessment; or

18 “(C) for evaluation activities.”; and

19 (9) in subsection (g), by striking out “test and
20 evaluation plan” and inserting in lieu thereof “test
21 and evaluation master plan.”.

22 **SEC. 1219. COORDINATION AND COMMUNICATION OF DE-**
23 **FENSE RESEARCH ACTIVITIES.**

24 Section 2364 of title 10, United States Code, is
25 amended—

1 (1) in subsection (b)(5), by striking out “mile-
 2 stone O, milestone I, and milestone II” and insert-
 3 ing in lieu thereof “acquisition program”;

4 (2) in subsection (c)—

5 (A) by amending paragraph (2) to read as
 6 follows:

7 “(2) The term ‘acquisition program decisions’
 8 has the meaning given to it by the regulations pro-
 9 mulgated by the Secretary of Defense.”; and

10 (B) by striking out paragraphs (3), and (4).

11 **SEC. 1220. UNDEFINITIZED CONTRACT ACTIONS.**

12 Section 2326 of title 10, United States Code, is
 13 amended—

14 (1) in subsection (b)—

15 (A) by striking out paragraph (4); and

16 (B) by redesignating paragraph (5) as
 17 paragraph (4); and

18 (2) in subsection (g)(1), by adding at the end
 19 the following new subparagraphs:

20 “(E) Contingency operations as defined in
 21 section 101(a)(13) of this title.

22 “(F) Peacekeeping or peace enforcement
 23 operations as directed by the President.

24 “(G) Disaster relief operations when di-
 25 rected by the President to perform disaster re-

1 lief pursuant to the Disaster Relief Act of 1974
2 (42 U.S.C. 5121 et seq.), or
3 “(H) Humanitarian assistance”.

4 **SEC. 1221. INDEPENDENT COST ESTIMATES.**

5 Section 2434(b)(1)(A) of title 10, United States
6 Code, is amended to read as follows:

7 “(A) be prepared by an office or other en-
8 tity that is not under the supervision, direction,
9 or control of the military department, defense
10 agency, or other component of the Department
11 of Defense that is directly responsible for carry-
12 ing out the development or acquisition of the
13 program; provided, however, that if the decision
14 authority has been delegated for the program to
15 an official of a military department, defense
16 agency, or other component of the Department
17 of Defense, the regulations need only require
18 consideration of a cost estimate prepared by an
19 office or other entity that is not directly respon-
20 sible for carrying out the development or acqui-
21 sition of the program.

22 **SEC. 1222. UNIT COST REPORTS.**

23 (a) Subsection (a) of section 2433 of title 10, United
24 States Code, is amended by striking out paragraph (3).

1 (b) Subsection (c) of section 2433 of title 10, United
2 States Code, is amended in paragraph (3) by striking out
3 “contract as of the time the contract was made” and in-
4 serting “contract cost baseline” in lieu thereof, and by
5 striking out “during the current fiscal year (other than
6 the last quarterly unit cost report under subsection (b)
7 for the preceding fiscal year)” at the end of the paragraph.

8 (c) Subsection (c) of such section is further amended
9 by redesignating paragraphs (1), (2) and (3) as (A), (B),
10 and (C), respectively, by redesignating (c) as (c)(1), and
11 by inserting after paragraph (c)(1) the following new
12 paragraph (2):

13 “(2) If the program manager for a major de-
14 fense acquisition program has submitted to the serv-
15 ice acquisition executive designated by the Secretary
16 concerned a unit cost report indicating an increase
17 of 15 percent or more over the Baseline Estimate in
18 a category described in clauses (A) through (C) of
19 paragraph (1) and subsequently determines that
20 there is reasonable cause to believe—

21 “(A) that the current program acquisition
22 unit cost of the program has increased by at
23 least 5 percent over the 15 percent increase in
24 current program acquisition unit cost for the
25 program as shown in the Baseline Estimate;

1 “(B) in the case of a major defense acqui-
2 sition program that is a procurement program,
3 that the procurement unit cost for the program
4 has increased by at least 5 percent over the 15
5 percent increase in procurement unit cost for
6 the program as shown in the Baseline Estimate;
7 or

8 “(C) that cost variances or schedule
9 variances of a major contract under the pro-
10 gram have resulted in an increase in the 15
11 percent increase in cost of the contract of at
12 least 5 percent over the contract cost baseline;
13 the program manager shall immediately submit
14 to the such service acquisition executive a unit
15 cost report containing the information deter-
16 mined as of the date of the report, required by
17 subsection (b).”.

18 (d) Subsection (d) of such section is amended in
19 paragraph (3) by striking out “(for the first time since
20 the beginning of the current fiscal year)”.

21 (e) Subsection (g) of such section is amended in para-
22 graph (1)(K) by striking out “and the procurement unit
23 cost for the succeeding fiscal year expressed in constant
24 base year dollars and in current year dollars” at the end
25 of the sentence.

1 **SEC. 1223. REPEAL OF SPARE PARTS QUALITY CONTROL.**

2 Section 2383 of title 10, United States Code, is re-
3 pealed.

4 **SEC. 1224. PATENT AND COPYRIGHT CASES.**

5 Section 2386(3) of title 10, United States Code, is
6 amended to read as follows:

7 “(3) Rights to use designs, processes, technical
8 data and computer software.”.

9 **SEC. 1225. DEFENSE ACQUISITION WORKFORCE ACT IM-**
10 **PROVEMENTS.**

11 (a) POST-EDUCATION DUTY ASSIGNMENTS.—Section
12 663(d) of title 10, United States Code, is amended by add-
13 ing at the end the following new paragraph:

14 “(3) The Secretary of Defense may exclude
15 from this provision military members of the Acquisi-
16 tion Corps, as defined in section 1731 of this title,
17 who have graduated from the Senior Acquisition
18 Course at the Industrial College of the Armed
19 Forces if they are assigned, upon graduation, to
20 Critical Acquisition Positions, as defined in section
21 1733 of this title.”.

22 (b) ELIMINATION OF THREE-YEAR ASSIGNMENT PE-
23 RIOD.—Section 1734 of title 10, United States Code, is
24 amended—

25 (1) by striking out subsection (a);

1 (2) by redesignating subsections (b) through (h)
 2 as subsections (a) through (g) respectively; and
 3 (3) in subsection (c) (as redesignated by sub-
 4 section (b)(2)), by striking out “or (b)(1)” and “or
 5 (b)(2)”.

6 **SEC. 1226. TECHNICAL AMENDMENT TO AUTHORITY TO**
 7 **PROCURE FOR EXPERIMENTAL OR TEST PUR-**
 8 **POSES.**

9 Section 2373 of title 10, United States Code, is
 10 amended by inserting the word “only” after “applies.”.

11 **SEC. 1227. REPEAL OF CERTAIN DEPOT LEVEL MAINTENANCE**
 12 **PROVISIONS.**

13 Chapter 146 of title 10, United States Code, is
 14 amended by repealing sections 2466 and 2469 and by
 15 striking the respective items from the table of sections at
 16 the beginning of such chapter.



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